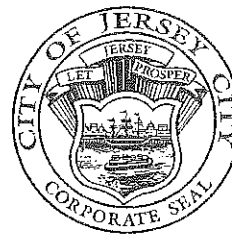


City Clerk File No. Ord. 16.001

Agenda No. 3.A 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.001

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE REPEALING NO PARKING ANY TIME ON THE SOUTH SIDE OF BAY STREET BEGINNING 130 FEET WEST OF PROVOST STREET TO MARIN BOULEVARD

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (No Parking Any Time) of the Jersey City Code is hereby supplemented as follows:

Section 332-22 **PARKING PROHIBITED AT ALL TIMES**
No person shall park a vehicle on any of the streets or parts thereof described.

Name of Street	Side	Limits
[Bay St	South	130 feet west of the westerly curb line of Provost St to Marin Blvd]

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material to be repealed is in [brackets].

JDS:pc1
(12.09.15)

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____
Director of Traffic & Transportation

APPROVED: _____
Municipal Engineer
APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE REPEALING NO PARKING ANY TIME ON THE SOUTH SIDE OF BAY STREET BEGINNING 130 FEET WEST OF PROVOST STREET TO MARIN BOULEVARD

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Jogo D'Souza at the request of Councilwoman Osborne on behalf of the Constituents in Ward E	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

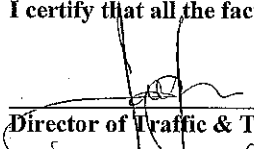
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

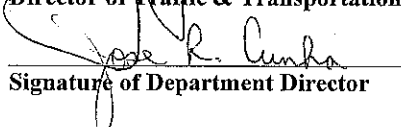
Ordinance Purpose

REPEALING NO PARKING ANY TIME ON THE SOUTH SIDE OF BAY STREET BEGINNING 130 FEET WEST OF PROVOST STREET TO MARIN BOULEVARD

Since this section of Bay Street is now a "one way west", pursuant to City Ordinance No. 15.140, the roadway is wide enough to allow for parking on both sides of the street.

I certify that all the facts presented herein are accurate.


Director of Traffic & Transportation


Signature of Department Director

12/10/15
Date

12/10/15
Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURE, ENGINEERING, TRAFFIC & TRANSPORTATION
MUNICIPAL SERVICES COMPLEX | 13-15 LINDEN AVE EAST | JERSEY CITY, NJ 07305
P: 201 547 5900 | F: 201 547 5806



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: December 9, 2015

TO: Jeremy Farrell, Corporation Counsel ✓
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
Councilwoman Osborne, Ward E

FROM: Patricia Logan, Supervising Traffic Investigator
Division of Architecture, Engineering, Traffic and Transportation

SUBJECT: **PROPOSED ORDINANCE**
REPEAL NO PARKING ANY TIME – BAY STREET

Please be advised this Division has proposed legislation (for the Council's consideration) amending Chapter 332, Section 332-22 (Parking prohibited at all times) of the Jersey City Traffic Code.

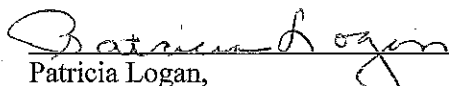
Since this section of Bay Street is now a "one way west", pursuant to City Ordinance No. 15.140, the roadway is wide enough to allow for parking on both sides of the street.

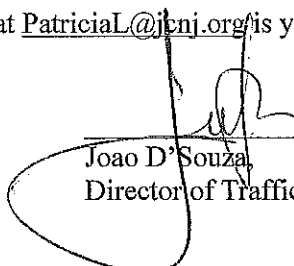
Parking Prohibited at All Times

Name of Street	Side	Limits
[Bay St	South	130 feet west of the westerly curb line of Provost St to Marin Blvd]

The recommended amendments should appear on the Agenda for the January 13, 2016 Municipal Council Meeting.

Feel free to contact Patricia Logan at ex. 4492 or at PatriciaL@jcnj.org if you have any questions.


Patricia Logan,
Supervising Traffic Investigator


Joao D'Souza,
Director of Traffic & Transportation

C: Jose R. Cunha, P.E., Municipal Engineer
Brian Weller, L.L.A., ASLA, Director, Architecture, Engineering, Traffic and Transportation
Mark Albiez, Chief of Staff
Mary Spinello-Paretti, Business Manager, Division of Parking Enforcement, Public Safety
Council President LaVarro, Jr. Councilwoman Watterman Councilman Rivera
Councilman Gajewski Councilman Ramchal Councilman Boggiano
Councilman Yun Councilwoman Coleman



City Clerk File No. Ord. 16.002

Agenda No. 3. B 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE **16.002**

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE EXTENDING THE NO PARKING ANY TIME ON THE SOUTH SIDE OF CLIFTON PLACE BEGINNING AT SUMMIT AVENUE FROM 208 FEET EAST TO 281 FEET EAST

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (No Parking Any Time) of the Jersey City Code is hereby supplemented as follows:

Section 332-22 **PARKING PROHIBITED AT ALL TIMES**
No person shall park a vehicle on any of the streets or parts thereof described.

Name of Street	Side	Limits
Clifton Pl	South	Summit Av [208] <u>281</u> feet east

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: New material to be inserted is underscored; the material to be repealed is in [*brackets*].

JDS:pcj
(12.09.15)

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: _____
Municipal Engineer
APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (PARKING PROHIBITED AT ALL TIMES) OF THE JERSEY CITY CODE EXTENDING THE NO PARKING ANY TIME ON THE SOUTH SIDE OF CLIFTON PLACE BEGINNING AT SUMMIT AVENUE FROM 208 FEET EAST TO 281 FEET EAST

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

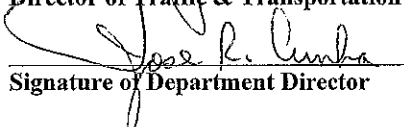
EXTEND THE NO PARKING ANY TIME ON THE SOUTH SIDE OF CLIFTON PLACE BEGINNING AT SUMMIT AVENUE FROM 208 FEET EAST TO 281 FEET EAST

Extending the no parking to 281 feet east will clear the curve of parked vehicles and thereby increasing traffic safety and capacity.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation



Signature of Department Director

12/10/15

Date

12/10/15

Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURE, ENGINEERING, TRAFFIC & TRANSPORTATION
MUNICIPAL SERVICES COMPLEX | 13-15 LINDEN AVE EAST | JERSEY CITY, NJ 07305
P: 201 547 5900 | F: 201 547 5806



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: December 9, 2015

TO: Jeremy Farrell, Corporation Counsel ✓
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
Councilwoman Coleman, Ward F

FROM: Patricia Logan, Supervising Traffic Investigator
Division of Architecture, Engineering, Traffic and Transportation

SUBJECT: **PROPOSED ORDINANCE**
EXTEND THE NO PARKING ANY TIME – CLIFTON PLACE

Please be advised this Division has proposed legislation (for the Council's consideration) amending Chapter 332, Section 332-22 (Parking prohibited at all times) of the Jersey City Traffic Code.

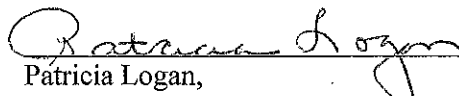
Extending the no parking any time to 281 feet will bring the parking prohibition easterly of the curve and increase traffic safety and capacity.

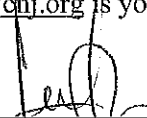
Parking Prohibited at All Times

Name of Street	Side	Limits
Clifton Pl	South	Summit Av [208] <u>281</u> feet east

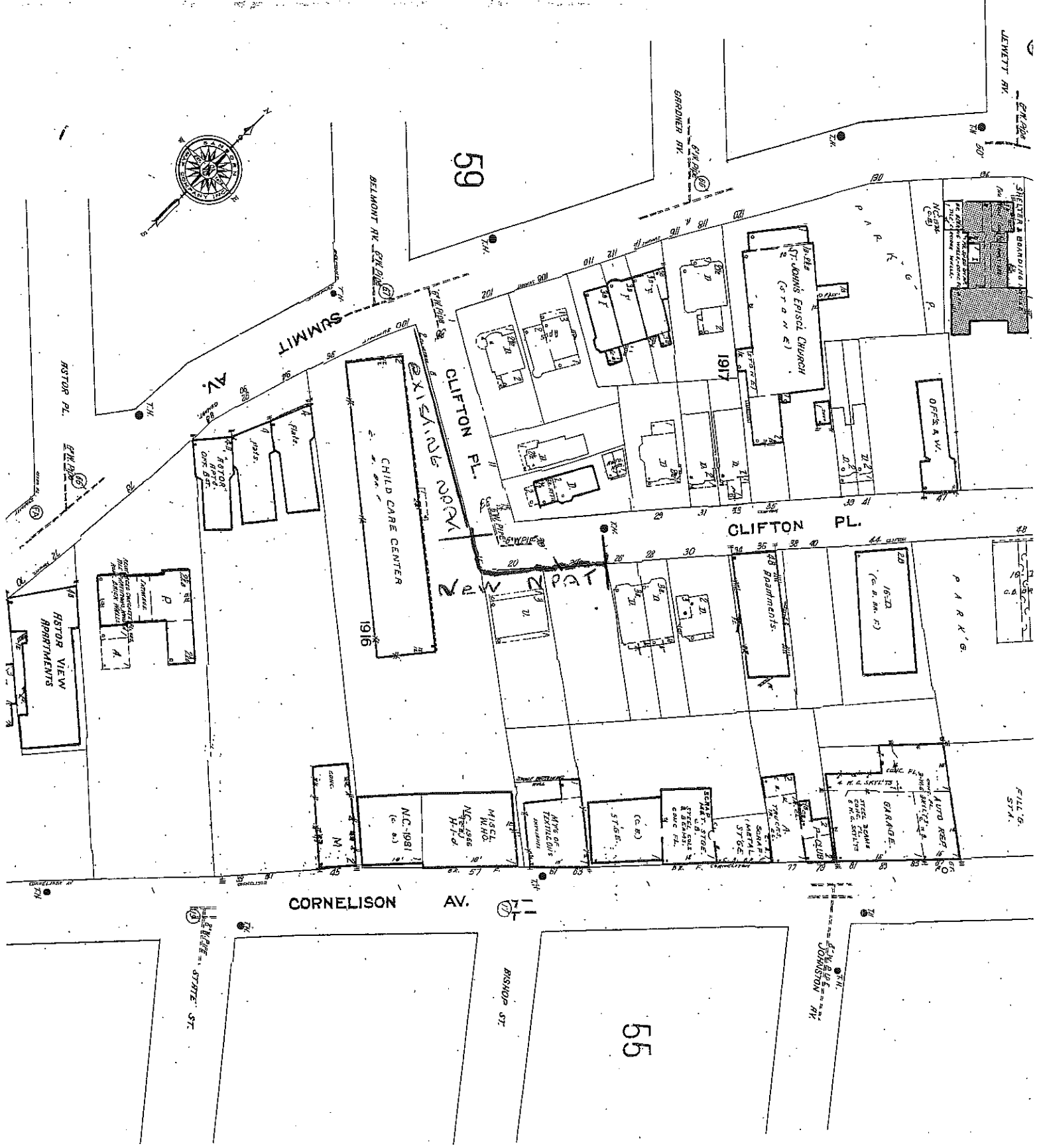
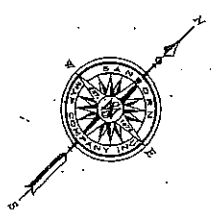
The recommended amendments should appear on the Agenda for the January 13, 2016 Municipal Council Meeting.

Feel free to contact Patricia Logan at ex. 4492 or at PatriciaL@jcnj.org if you have any questions.


Patricia Logan,
Supervising Traffic Investigator


Joao D'Souza,
Director of Traffic & Transportation

C: Jose R. Cunha, P.E., Municipal Engineer
Brian Weller, L.L.A., ASLA, Director, Architecture, Engineering, Traffic and Transportation
Mark Albiez, Chief of Staff
Mary Spinello-Paretti, Business Manager, Division of Parking Enforcement, Public Safety
Council President LaVarro, Jr. Councilwoman Watterman Councilman Rivera
Councilman Gajewski Councilman Ramchal Councilman Boggiano
Councilman Yun Councilwoman Osborne



City Clerk File No. _____ Ord. 16.003

Agenda No. 3.C _____ 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.003

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-7 (PROHIBITED TURNS AT INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE PROHIBITING THE LEFT TURN FOR VEHICLES EXITING EAST FROM DUNKIN DONUTS TO NORTH ON M.L. KING DRIVE, DAILY

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-7 (Prohibited turns at intersections) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-7 Prohibited turns at intersections.

No person shall make a turn of the kind designated (left or right) at any location of the locations listed below.

Name of Street	Direction of Travel	Prohibited Turn	Hours Days of Week	At Intersection of:
<u>Dunkin Donuts Exit</u>	<u>East</u>	<u>Left</u>	<u>Daily</u>	<u>M.L. King Dr</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material to be inserted is new and underscored.

JDS:pc1
(12.08.15)

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: _____

Municipal Engineer

APPROVED: _____

Business Administrator

Corporation Counsel

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-7 (PROHIBITED TURNS AT INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE PROHIBITING THE LEFT TURN FOR VEHICLES EXITING EAST FROM DUNKIN DONUTS TO NORTH ON M.L. KING DRIVE, DAILY

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of Brian Platt, Office of Innovation on behalf of the neighborhood constituents	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

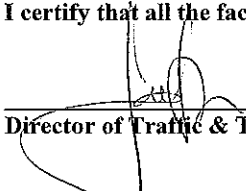
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

PROHIBITE THE LEFT TURN FOR VEHICLES EXITING EAST FROM DUNKIN DONUTS TO NORTH ON M.L. KING DRIVE, DAILY

Increase traffic and pedestrian safety by prohibiting the vehicles exiting the Dunkin Donuts to turn left on to M.L. King Dr. which involves crossing over the southbound lane.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

12/9/15

Date

Signature of Department Director

Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURE, ENGINEERING, TRAFFIC & TRANSPORTATION
MUNICIPAL SERVICES COMPLEX | 13-15 LINDEN AVE EAST | JERSEY CITY, NJ 07305
P: 201 547 5900 | F: 201 547 5806



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: December 8, 2015

TO: Jeremy Farrell, Corporation Counsel ✓
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
James Shea, Director, Department of Public Safety
Councilwoman Coleman, Ward F

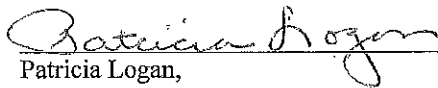
FROM: Patricia Logan, Supervising Traffic Investigator
Division of Architecture, Engineering, Traffic and Transportation

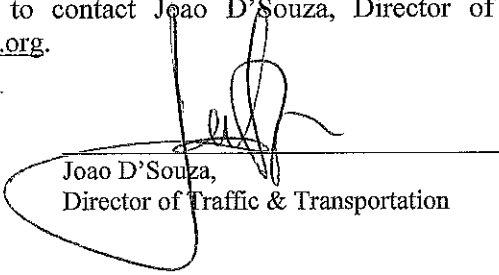
SUBJECT: **PROPOSED ORDINANCE – NO LEFT TURN**

At the request of Brian Platt, Office of Innovation on behalf of the neighborhood constituents, please be advised an Ordinance has been proposed by this Division, (for Municipal Council approval), supplementing Chapter 332(Vehicles and Traffic) Section 332-7 (Prohibited turns at intersections) of the Jersey City Code. The proposed legislation prohibits vehicles exiting east from the Dunkin Donuts to turning left (north) on the M.L. King Drive.

This turning prohibition will increase both traffic and pedestrian safety.

It is anticipated that this Ordinance will be on the Agenda for the January 13, 2016 Municipal Council meeting. If you have any questions, feel free to contact Joao D'Souza, Director of Traffic & Transportation @ extension 4470 or at JOAO@jcnj.org.


Patricia Logan,
Supervising Traffic Investigator


Joao D'Souza,
Director of Traffic & Transportation

C: Andrew Vischio, P.E., Assistant Traffic Engineer
Jose R. Cunha, P.E., Municipal Engineer
Brian Weller, L.L.A., ASLA, Director, Architecture, Engineering, Traffic and Transportation
Mark Albiez, Chief of Staff
Brian Platt, Office of Innovation
Philip Zacche, Chief of Police
Michael Kelly, Captain, West District
Council President Lavarro, Jr.
Councilman Gajewski
Councilman Yun

Councilwoman Watterman
Councilman Ramchal
Councilwoman Osborne

Councilman Rivera
Councilman Boggiano

Google Maps 347 County Rd 609

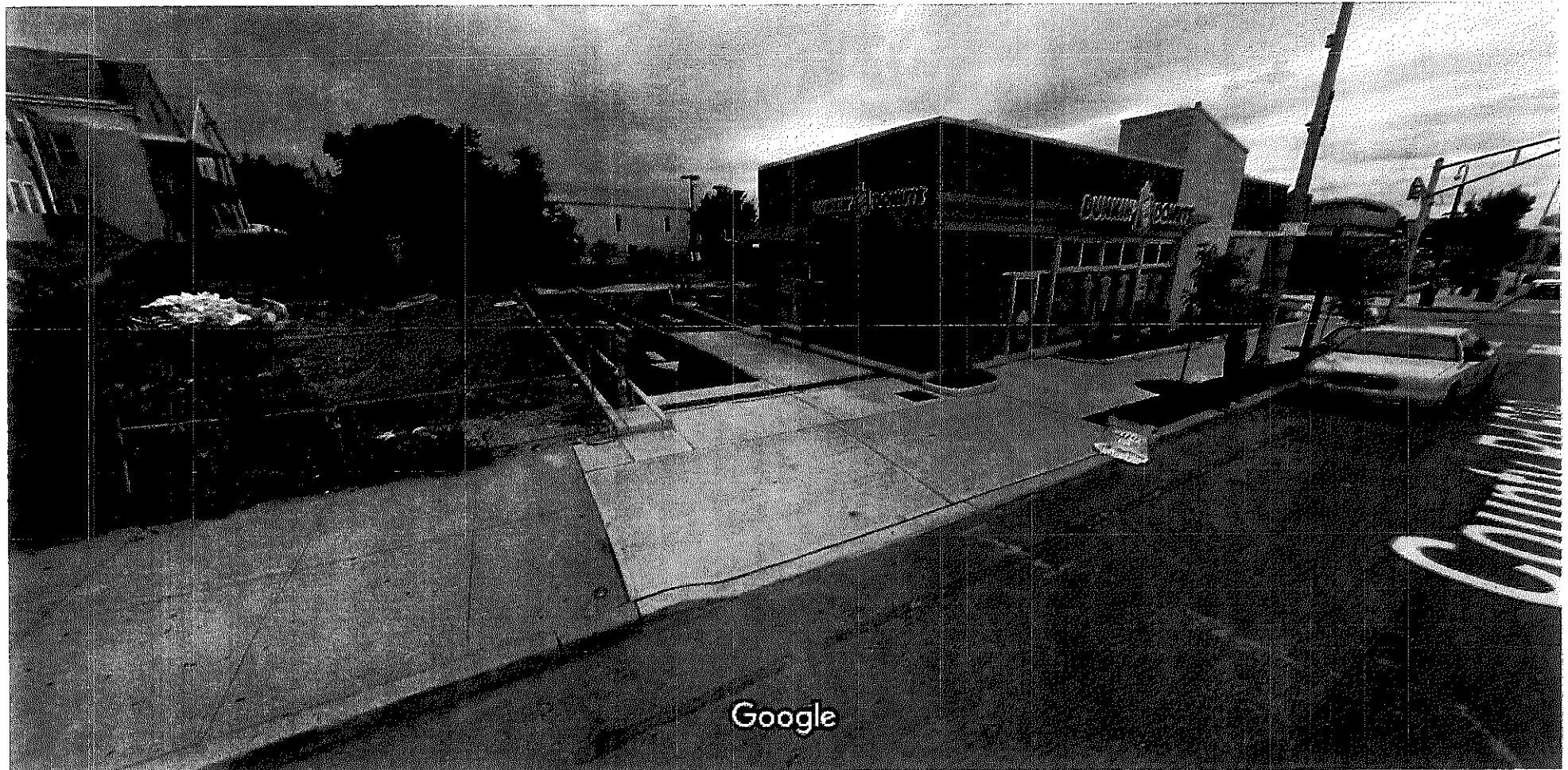


Image capture: Aug 2013 © 2015 Google

Jersey City, New Jersey

Street View - Aug 2013

City Clerk File No. _____ Ord. 16.004

Agenda No. _____ 3.D _____ 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.004

TITLE:
AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC)
ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-
22 (NO PARKING ANY TIME) DESIGNATING THE NORTH SIDE OF
MONTGOMERY STREET BETWEEN JORDAN AVENUE AND TUERS AVENUE AS
NO STOPPING OR STANDING

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (No stopping or standing) of the Jersey City Code is hereby supplemented as follows:

Section 332-23 NO STOPPING OR STANDING
No person shall stop or stand a vehicle upon any of the streets or parts thereof listed below.

Name of Street	Side	Limits
Montgomery St	<u>North</u>	Jordan Av to Tuers Av Tuers Av to 110 feet west 220 feet west of Tuers Av to Bergen Av Bergen Av to 120 feet west Kennedy Blvd to 340 feet east West Side Av to 150 feet east

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material to be inserted is new and underscored.

JDS:pc1
12.08.15

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: _____
Municipal Engineer

APPROVED: _____
Business Administrator

Corporation Counsel

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AMENDING SECTION 332-22 (NO PARKING ANY TIME) DESIGNATING THE NORTH SIDE OF MONTGOMERY STREET BETWEEN JORDAN AVENUE AND TUERS AVENUE AS NO STOPPING OR STANDING

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

DESIGNATE THE NORTH SIDE OF MONTGOMERY STREET BETWEEN JORDAN AVENUE AND TUERS AVENUE AS NO STOPPING OR STANDING

In accordance with the McGuinley Square Redevelopment Plan, to increase traffic capacity and traffic and pedestrian safety, the parking lane will now serve as a westbound travel lane. The parking meters have been removed and the "no stopping or standing" signs have been installed.

I certify that all the facts presented herein are accurate.


Director of Traffic & Transportation

Signature of Department Director

12/9/15
Date

12/10/15
Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURE, ENGINEERING, TRAFFIC & TRANSPORTATION
MUNICIPAL SERVICES COMPLEX | 13-15 LINDEN AVE EAST | JERSEY CITY, NJ 07305
P: 201.547.5900 | F: 201.547.5806



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: December 8, 2015

TO: Jeremy Farrell, Corporation Counsel ✓
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
Councilman Boggiano, Ward C

FROM: Patricia Logan, Supervising Traffic Investigator
Division of Architecture, Engineering, Traffic and Transportation

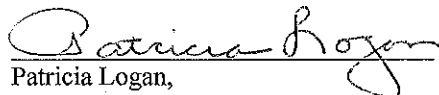
SUBJECT: **PROPOSED ORDINANCE – NO STOPPING OR STANDING**

Attached is an Ordinance proposed by this Division, (for Municipal Council approval), supplementing Chapter 332(Vehicles and Traffic) Section 332-23 (No Stopping or Standing) of the Jersey City Code.

The proposed legislation designates the north side of Montgomery Street from Jordan Avenue to Tuers Avenue as “no stopping or standing.” In accordance with the McGinley Square Redevelopment Plan, to increase traffic circulation and traffic and pedestrian safety, the parking lane will now serve as a west bound travel lane. The parking meters have been removed and the “no stopping or standing” signs installed.

It is anticipated that this Ordinance will be on the Agenda for the January 13, 2016 Municipal Council meeting.

If you have any questions, feel free to contact Patricia Logan, Supervising Traffic Investigator @ 201.547.4492 or at PatriciaL@jcnj.org.

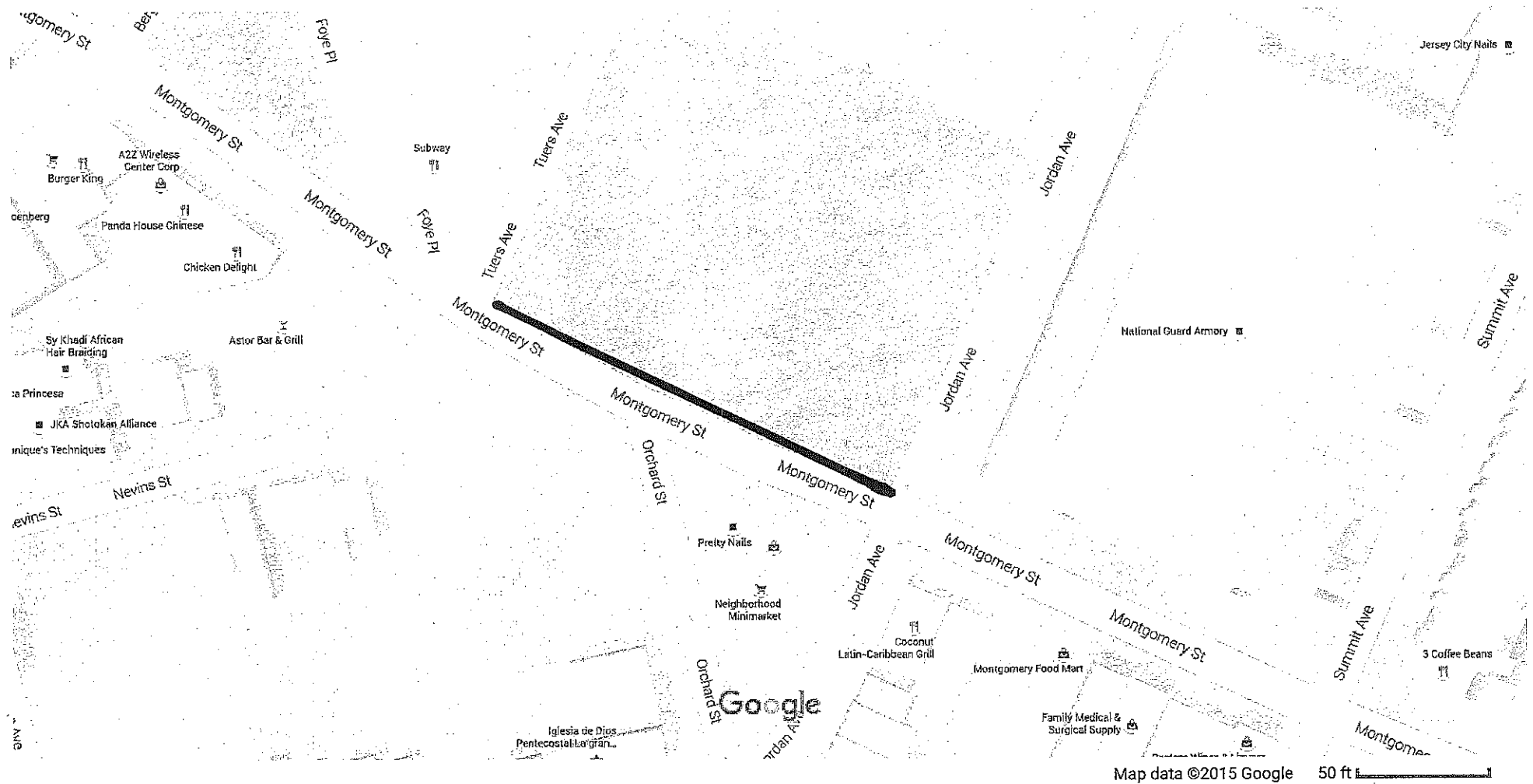

Patricia Logan,
Supervising Traffic Investigator


Joao D'Souza,
Director of Traffic & Transportation

C: Jose R. Cunha, P.E., Municipal Engineer
Brian Weller, L.L.A., ASLA, Director, Architecture, Engineering, Traffic and Transportation
Mark Albiez, Chief of Staff
Mary Spinello-Paretti, Business Manager, Division of Parking Enforcement, Department of Public Safety
Council President Lavarro, Jr. Councilwoman Watterman Councilman Rivera
Councilman Gajewski Councilman Ramchal Councilman Yun
Councilwoman Osborne Councilwoman Coleman



Google Maps



City Clerk File No. _____ Ord. 16.005

Agenda No. _____ 3. E _____ 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.005

TITLE: **AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-7 (PROHIBITED TURNS AT INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE PROHIBITING THE LEFT TURN FOR VEHICLES NORTH ON ROMAINE AVENUE TO WEST ON BROADWAY, SCHOOL DAYS, 7:30 A.M. TO 9:00 A.M. AND 2:00 P.M. TO 4:00 P.M.**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-7 (Prohibited turns at intersections) of the Jersey City Traffic Code is hereby supplemented as follows:

Section: 332-7 Prohibited turns at intersections.

No person shall make a turn of the kind designated (left or right) at any location of the locations listed below.

Name of Street	Direction of Travel	Prohibited Turn	Hours Days of Week	At Intersection of:
<u>Romaine Av</u>	<u>North</u>	<u>Left</u>	<u>School Days</u> <u>7:30 a.m. to 9:00 a.m.</u> <u>2:00 p.m. to 4:00 p.m.</u>	<u>Broadway</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.

4. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material to be inserted is new and underscored.

JDS:pcl
(12.09.15)

APPROVED: _____
Director of Traffic & Transportation

APPROVED AS TO LEGAL FORM

APPROVED: _____
Municipal Engineer
APPROVED: _____

Corporation Counsel

Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE II (TRAFFIC REGULATIONS) SECTION 332-7 (PROHIBITED TURNS AT INTERSECTIONS) OF THE JERSEY CITY TRAFFIC CODE PROHIBITING THE LEFT TURN FOR VEHICLES NORTH ON ROMAINE AVENUE TO WEST ON BROADWAY, SCHOOL DAYS, 7:30 A.M. TO 9:00 A.M. AND 2:00 P.M. TO 4:00 P.M.

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza at the request of P.O. John Dabrowski	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org


Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

PROHIBITE THE LEFT TURN FOR VEHICLES NORTH ON ROMAINE AVENUE TO WEST ON BROADWAY, SCHOOL DAYS, 7:30 A.M. TO 9:00 A.M. AND 2:00 P.M. TO 4:00 P.M.

Increase pedestrian safety at the school crossing at Romaine Avenue and Broadway.

I certify that all the facts presented herein are accurate.



Director of Traffic & Transportation

12/9/15

Date

Signature of Department Director

Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURE, ENGINEERING, TRAFFIC & TRANSPORTATION
MUNICIPAL SERVICES COMPLEX | 13-15 LINDEN AVE EAST | JERSEY CITY, NJ 07305
P: 201 547 5900 | F: 201 547 5806



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: December 9, 2015

TO: Jeremy Farrell, Corporation Counsel ✓
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
James Shea, Director, Department of Public Safety
Councilman Ramchal, Ward B

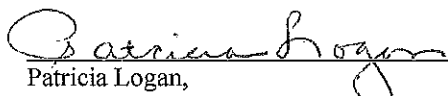
FROM: Patricia Logan, Supervising Traffic Investigator
Division of Architecture, Engineering, Traffic and Transportation

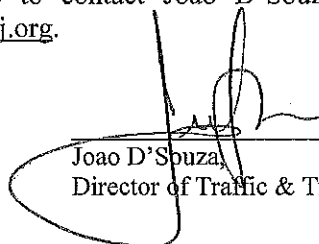
SUBJECT: **PROPOSED ORDINANCE – NO LEFT TURN**

At the request of P.O. Dabrowski, please be advised an Ordinance has been proposed by this Division, (for Municipal Council approval), supplementing Chapter 332(Vehicles and Traffic) Section 332-7 (Prohibited turns at intersections) of the Jersey City Code. The proposed legislation prohibits vehicles north on Romaine Avenue to turn west on to Broadway, School Days, 7:30 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m.

This turning prohibition will increase both traffic and pedestrian safety at the intersection of Romaine Avenue and Broadway.

It is anticipated that this Ordinance will be on the Agenda for the January 13, 2016 Municipal Council meeting. If you have any questions, feel free to contact Joao D'Souza, Director of Traffic & Transportation @ extension 4470 or at JOAO@jcnj.org.


Patricia Logan,
Supervising Traffic Investigator


Joao D'Souza,
Director of Traffic & Transportation

C: Andrew Vischio, P.E., Assistant Traffic Engineer
Jose R. Cunha, P.E., Municipal Engineer
Brian Weller, L.L.A., ASLA, Director, Architecture, Engineering, Traffic and Transportation
Mark Albiez, Chief of Staff
Philip Zacche, Chief of Police
Michael Kelly, Captain, West District
P.O. John Dabrowski
Council President Lavarro, Jr.
Councilman Gajewski
Councilwoman Osborne

Councilwoman Watterman
Councilman Boggiano
Councilwoman Coleman

Councilman Rivera
Councilman Yun

Google Maps 148 Romaine Ave



Image capture: Aug 2013 © 2015 Google

Jersey City, New Jersey

Street View - Aug 2013

City Clerk File No. _____ Ord. 16.006

Agenda No. _____ 3. F _____ 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.006

TITLE: AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE(S) AT 117 ATLANTIC STREET; 389 BALDWIN AVENUE; 398 BALDWIN AVENUE; 38 BARTHOLDI AVENUE; 142 BEACON AVENUE; 80 BELMONT AVENUE; 175 BIDWELL AVENUE; 274 CLAREMONT AVENUE; 43 CLARKE AVENUE; 46 CLARKE AVENUE; 80 COLES STREET; 165 CONGRESS STREET; 34 EASTERN PARKWAY; 353 EIGHTH STREET; 79 ERIE STREET; 305 FAIRMOUNT AVENUE; 19 FAIRMOUNT TERRACE; 375 FOURTH STREET; 195 HUTTON STREET; 22 IRVING STREET; 119 IRVING STREET; 34 LEXINGTON AVENUE; 239-241 LEXINGTON AVENUE; 8 MANHATTAN AVENUE; 399 NEW YORK AVENUE; 254 NINTH STREET; 120 OGDEN AVENUE; 237 PACIFIC AVENUE; 12 PAMRAPO AVENUE; 238 PEARSALL AVENUE; 242 PINE STREET; 149 RANDOLPH AVENUE; 23 REED STREET; 65 RESERVOIR AVENUE; 219 ST. PAUL'S AVENUE; 84 SEAVIEW AVENUE; 279 ½ SECOND STREET; 87 SHERMAN AVENUE; 285 SHERMAN AVENUE; 14-16 SKYLINE DRIVE; 159 SOUTH STREET; 45 STEGMAN STREET; 141 STEVENS AVENUE; 1191 SUMMIT AVENUE; 23 TERHUNE AVENUE; 213 TERRACE AVENUE; 99 THORNE STREET; 78 UNION STREET; 28 WALLIS AVENUE AND 291 WOODLAWN AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 110-112-114 ATLANTIC STREET; 192 CLINTON AVENUE; 359 EIGHTH STREET; 63 RESERVOIR AVENUE AND 66 SEIDLER STREET

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

1. Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) and Article IX (Parking for the Disabled) of the Jersey City Code is hereby supplemented as follows:

Section 332-29 Disabled Parking Manual

Section 332-69 Restricted parking zones in front of or near residences of disabled drivers.

PARKING FOR THE DISABLED

Restricted parking spaces, (measuring approximately 22 feet in length) in front of residential building for use by persons who have been issued special vehicle identification cards by the Division of Motor Vehicles and handicapped parking permits issued by the Traffic Division.

Dean Mays	<u>117 Atlantic St [110-112-114]</u>
<u>Alicia Dicupe</u>	<u>389 Baldwin Av</u>
<u>Martha Alvarez</u>	<u>398 Baldwin Av</u>
<u>Malissa Austin</u>	<u>38 Bartholdi Av [192 Clinton Av]</u>
<u>Wladyslaw Burnat</u>	<u>142 Beacon Av</u>
<u>Horace Worsley, Jr.</u>	<u>80 Belmont Av</u>
<u>Michael Johnson</u>	<u>175 Bidwell Av</u>
<u>Keith McKnight</u>	<u>274 Claremont Av</u>
<u>Autumn McKnight</u>	<u>43 Clarke Av</u>
<u>Juan Albizu</u>	<u>46 Clarke Av</u>
<u>Kimberly Taylor-Miller</u>	<u>80 Coles St</u>
<u>Joanne Knight</u>	<u>165 Congress St</u>
<u>Iciline Bowden</u>	<u>34 Eastern Pkway</u>
<u>Joseph Coletta</u>	<u>353 Eighth St [359 Eighth St]</u>
<u>Bernardina Ocasio</u>	<u>79 Erie St</u>

JDS:pcl
(12.11.15)

<u>Kenneth Bissett</u>	<u>19 Fairmount Ter</u>
<u>Morad Youssef</u>	<u>305 Fairmount Av</u>
<u>Salvatore Cerminaro</u>	<u>375 Fourth St</u>
<u>Maria Aranzazu</u>	<u>195 Hutton St</u>
<u>Joanne Chirichella</u>	<u>22 Irving St</u>
<u>Paresh Sutariya</u>	<u>119 Irving St</u>
<u>Juana Fuentes</u>	<u>34 Lexington Av</u>
<u>Francisco Pena</u>	<u>239-241 Lexington Av [66 Seidler St]</u>
<u>Moises Alcalapego</u>	<u>8 Manhattan Av</u>
<u>Luis Bayon-Sosa</u>	<u>399 New York Av</u>
<u>Kelly Lease</u>	<u>254 Ninth St</u>
<u>John Podelski</u>	<u>120 Ogden Av</u>
<u>Cyril Loughheed</u>	<u>237 Pacific Av</u>
<u>Patricia & Shirley Miltner</u>	<u>12 Pamrapo Av</u>
<u>Nicole Dorobis</u>	<u>238 Pearsall Av</u>
<u>Ana Sanchez</u>	<u>242 Pine St</u>
<u>Bobbie McCutchen</u>	<u>149 Randolph Av</u>
<u>Muhammad Mumtaz</u>	<u>23 Reed St</u>
<u>Renee Mahoney</u>	<u>[63] 65 Reservoir Av</u>
<u>Bernadette Gaughan</u>	<u>219 St. Paul's Av</u>
<u>Christopher Maglione</u>	<u>84 Seaview Av</u>
<u>Maria Posas</u>	<u>279 1/2 Second St</u>
<u>Samir Ayyoub</u>	<u>87 Sherman Av</u>
<u>Jose San Jilian</u>	<u>285 Sherman Av</u>
<u>Patricia McGeachy</u>	<u>14-16 Skyline Dr</u>
<u>Angela Quinteros</u>	<u>159 South St</u>
<u>Michael Herring</u>	<u>45 Stegman St</u>
<u>Preston Rice, Jr.</u>	<u>141 Stevens Av</u>
<u>Rigoberto Castro</u>	<u>1191 Summit Av</u>
<u>Corrinne Hughes</u>	<u>23 Terhune Av</u>
<u>Martha Porras</u>	<u>213 Terrace Av</u>
<u>Bray French</u>	<u>99 Thorne St</u>
<u>Serita Lanham</u>	<u>78 Union St</u>
<u>Gary M. Good</u>	<u>28 Wallis Av</u>
<u>Fred Covington</u>	<u>291 Woodlawn Av</u>

2. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
3. This ordinance shall be a part of the Jersey City Code as though codified and incorporated in the official copies of the Jersey City Code.
4. This ordinance shall take effect at the time and in the manner as prescribed by law.
5. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: The new material to be inserted is underscored; the material to be repealed is in *[brackets]*.

JDS:pc1
(12.11.15)

APPROVED AS TO LEGAL FORM

Corporation Counsel

APPROVED: _____
Director of Traffic & Transportation

APPROVED: _____
Municipal Engineer

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance

AN ORDINANCE SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE III (PARKING, STANDING AND STOPPING) AND ARTICLE IX (PARKING FOR THE DISABLED) OF THE JERSEY CITY CODE DESIGNATING A RESERVED PARKING SPACE(S) AT 117 ATLANTIC STREET; 389 BALDWIN AVENUE; 398 BALDWIN AVENUE; 38 BARTHOLDI AVENUE; 142 BEACON AVENUE; 80 BELMONT AVENUE; 175 BIDWELL AVENUE; 274 CLAREMONT AVENUE; 43 CLARKE AVENUE; 46 CLARKE AVENUE; 80 COLES STREET; 165 CONGRESS STREET; 34 EASTERN PARKWAY; 353 EIGHTH STREET; 79 ERIE STREET; 305 FAIRMOUNT AVENUE; 19 FAIRMOUNT TERRACE; 375 FOURTH STREET; 195 HUTTON STREET; 22 IRVING STREET; 119 IRVING STREET; 34 LEXINGTON AVENUE; 239-241 LEXINGTON AVENUE; 8 MANHATTAN AVENUE; 399 NEW YORK AVENUE; 254 NINTH STREET; 120 OGDEN AVENUE; 237 PACIFIC AVENUE; 12 PAMRAPO AVENUE; 238 PEARSALL AVENUE; 242 PINE STREET; 149 RANDOLPH AVENUE; 23 REED STREET; 65 RESERVOIR AVENUE; 219 ST. PAUL'S AVENUE; 84 SEAVIEW AVENUE; 279 ½ SECOND STREET; 87 SHERMAN AVENUE; 285 SHERMAN AVENUE; 14-16 SKYLINE DRIVE; 159 SOUTH STREET; 45 STEGMAN STREET; 141 STEVENS AVENUE; 1191 SUMMIT AVENUE; 23 TERHUNE AVENUE; 213 TERRACE AVENUE; 99 THORNE STREET; 78 UNION STREET; 28 WALLIS AVENUE AND 291 WOODLAWN AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 110-112-114 ATLANTIC STREET; 192 CLINTON AVENUE; 359 EIGHTH STREET; 63 RESERVOIR AVENUE AND 66 SEIDLER STREET

Initiator

Department/Division	Administration	Architecture, Engineering, Traffic and Transportation
Name/Title	Joao D'Souza on behalf Councilwoman Watterman, Chairwoman for the Municipal Council Committee for Disabled Parking	Director of Traffic & Transportation
Phone/email	201.547.4470	JOAO@jcnj.org

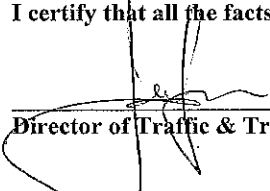
Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

DESIGNATING A RESERVED PARKING SPACE(S) AT 117 ATLANTIC STREET; 389 BALDWIN AVENUE; 398 BALDWIN AVENUE; 38 BARTHOLDI AVENUE; 142 BEACON AVENUE; 80 BELMONT AVENUE; 175 BIDWELL AVENUE; 274 CLAREMONT AVENUE; 43 CLARKE AVENUE; 46 CLARKE AVENUE; 80 COLES STREET; 165 CONGRESS STREET; 34 EASTERN PARKWAY; 353 EIGHTH STREET; 79 ERIE STREET; 305 FAIRMOUNT AVENUE; 19 FAIRMOUNT TERRACE; 375 FOURTH STREET; 195 HUTTON STREET; 22 IRVING STREET; 119 IRVING STREET; 34 LEXINGTON AVENUE; 239-241 LEXINGTON AVENUE; 8 MANHATTAN AVENUE; 399 NEW YORK AVENUE; 254 NINTH STREET; 120 OGDEN AVENUE; 237 PACIFIC AVENUE; 12 PAMRAPO AVENUE; 238 PEARSALL AVENUE; 242 PINE STREET; 149 RANDOLPH AVENUE; 23 REED STREET; 219 ST. PAUL'S AVENUE; 84 SEAVIEW AVENUE; 279 ½ SECOND STREET; 87 SHERMAN AVENUE; 285 SHERMAN AVENUE; 14-16 SKYLINE DRIVE; 159 SOUTH STREET; 45 STEGMAN STREET; 141 STEVENS AVENUE; 1191 SUMMIT AVENUE; 23 TERHUNE AVENUE; 213 TERRACE AVENUE; 99 THORNE STREET; 78 UNION STREET; 28 WALLIS AVENUE AND 291 WOODLAWN AVENUE AND REPEAL THE RESERVED PARKING SPACE AT 110-112-114 ATLANTIC STREET; 192 CLINTON AVENUE; 359 EIGHTH STREET AND 66 SEIDLER STREET

All applications were reviewed and approved by the Municipal Council Committee for Disabled Parking.

I certify that all the facts presented herein are accurate.


Director of Traffic & Transportation

12/14/15
Date

Signature of Department Director

Date



STEVEN M. FULOP
MAYOR OF JERSEY CITY

CITY OF JERSEY CITY
DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURE, ENGINEERING, TRAFFIC & TRANSPORTATION
MUNICIPAL SERVICES COMPLEX | 13-15 LINDEN AVE EAST | JERSEY CITY, NJ 07305
P: 201 547 5900 | F: 201 547 5806



ROBERT KAKOLESKI
BUSINESS ADMINISTRATOR

MEMORANDUM

DATE: December 11, 2015

TO: Jeremy Farrell, Corporation Counsel ✓
Robert Kakoleski, Business Administrator
Robert Byrne, City Clerk
Councilwoman Joyce Watterman,
Chairwoman, Municipal Council Committee for Disabled Parking

FROM: Patricia Logan, Supervising Traffic Investigator
Division of Architecture, Engineering, Traffic and Transportation

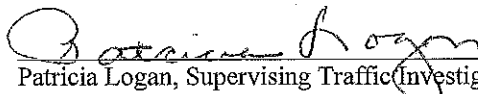
SUBJECT: **ORDINANCE – RESERVED PARKING SPACES**

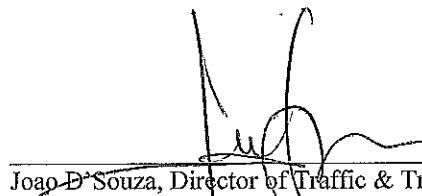
At the request of The Municipal Council Committee for Disabled Parking, kindly be advised this Division has proposed an Ordinance (for the Council's consideration) to change Chapter 332(Vehicles and Traffic) of the Jersey City Municipal Code designating and repealing a reserved parking space for the disabled at the locations listed on the attached Ordinance.

All of the individuals listed on this Ordinance submitted applications with supporting medical information that were reviewed and approved by the Committee.

The recommended changes should appear on the January 13, 2015 Municipal Council Meeting Agenda.

If you have any questions, feel free to contact me at 201.547.4492 or at PatriciaL@jcnj.org.


Patricia Logan, Supervising Traffic Investigator


Joao D'Souza, Director of Traffic & Transportation

C: Jose R. Cunha, P.E., Municipal Engineer
Brian Weller, L.L.A., ASLA, Director, Architecture, Engineering, Traffic and Transportation
Mark Albiez, Chief of Staff
Mary Spinello Paretti, Business Manager, Parking Enforcement Division
Municipal Council Committee for Disabled Parking
Council President Lavarro, Jr
Councilman Ramchal
Councilwoman Osborne
Councilman Rivera
Councilman Boggiano
Councilwoman Coleman
Councilman Gajewski
Councilman Yun

City Clerk File No. Ord. 16.007

Agenda No. 3. G 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE

TITLE: ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VII (METERED PARKING) OF THE JERSEY CITY MUNICIPAL CODE

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY HEREBY ORDAINS:

WHEREAS, metered parking in the City owned off-street lots needs to be specifically authorized by the Municipal Council; and

WHEREAS, the Municipal Council should be authorized to waive the charges by the adoption of a resolution as needed.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

- A. The following amendments to Chapter 332 (Vehicles and Traffic) Article VII (Metered Parking) are hereby adopted:

VEHICLES AND TRAFFIC

ARTICLE VII Metered Parking

§332-47. No Change.

§332-48. Designation of Parking Spaces.

The Division of Parking Enforcement is hereby directed and authorized to provide for the marking off of individual parking spaces in the parking meter zones designated and described below, said parking spaces to be designated by lines painted or marked on the curbing or surface of the street or lot. At each space so marked off, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated. When a parking space in any parking meter zone is at right angles or diagonal to the curb, sidewalk or island, any vehicle parked in such a parking space shall be parked with the front of the vehicle facing such meter.

- A. On-Street Parking Meter Zones. Parking or standing a vehicle in a parking meter space in the on-street parking meter zones described below shall be lawful during the hours ~~[specified only]~~ of 9:00 a.m. to 9:00 p.m., Monday through Sunday and only, unless designated otherwise by a sign on the meter or a posted sign, upon the deposit of such amount as is indicated for each specified period of time:

ON STREET PARKING METER ZONES	
NAME OF STREET	LIMITS
Academy St	Tuers Av to Tonnele Ave
Baldwin Av	Courthouse Pl to Newark Av

Barrow St	Columbus Dr to Newark Av
Bay St	Newark Av to Grove St
Bergen Av	Jewett Av to Sip Av
Bleecker St	Both sides: Central Av 75 feet west
Brunswick St	Newark Av to Wayne St
Central Av	Booram Av to North St
Central Av	Newark Av to Pavonia Av
Charles St	Central Av 200 feet west
Clifton Pl	Fairmount Av to Baldwin Av
Coles St	Newark Av to Second St
Columbus Dr	Grove St to Brunswick St
Congress St	Central Av 100 feet east
Cook St	Newark Av to Hoboken Ave
Cottage St	Kennedy Blvd 200 feet west
Douglas and Arthur Skinner Memorial Dr (FKA: Jersey Av)	West Side: Grand St south to the light rail tracks
Ege Av	West Side Av 200 feet west
Enos Pl	Entire length
Erie Pl	Newark Av to Second St
Fairmount Av	Monticello Av to Boland St
First St	Jersey Av to 200 feet west of Brunswick St
Franklin St	Central Av to Cambridge Av
Gautier Av	West Side Ave 200 feet west
Glenwood Av	Bergen Av 100 feet west
Graham St	Central Av 200 feet west
Grand St	Arlington Av to Johnston Av
	River St (private roadway) to Tidewater St (private roadway)
Greene St	Montgomery St to Columbus Dr
Griffith St	Central Av 200 feet east and west
Grove St	Grand St to First St
Hoboken Av	Summit Av to Palisade Av
Hudson Street	Both sides: Light Rail Crossing to Second Street
Hutton St	Central Av 200 feet west
Jersey Av	First St to Columbus Dr
Jones St	Sip Av to Newkirk St
Journal Square	Entire length
Liberty Av	East side; Newark Av to Van Winkle Av
Lincoln St	Central Av 200 feet west
Lott St	North side, from Central Av to west terminus
Magnolia Av	Tonnele Av to Summit Av
Mercer St	Marin Blvd to Grove St
Mercer St	Tuers Av to Bergen Av
Monmouth St	Columbus Dr to Third St
Montgomery St	Bergen Av to Boland St
Montgomery St	Hudson St to Marin Blvd
Montgomery St	Monmouth St to Colgate St
Montgomery St	North side, from Kennedy Blvd to West Side Av
Morgan St	North side: Greene St to Washington St
Newark Av	Chestnut Av to Tonnele Av
Newark Av	Grove St to Brunswick St
Newkirk St	Summit Av to Tuers Av
North St	Central Av 200 feet east and west
Oakland Av	Newark Av to Hoboken Av

Palisade Av	Griffith St to Ravine Av
Paterson St	Central Av 200 feet west
Pavonia Av	Baldwin Av to Summit Av
Second St	Coles St 200 feet west of Brunswick St
Sherman Pl	Central Av 200 feet west
Sip Av	Tonnele Av to Summit Av
Smith St	Entire length
South St	Central Av 200 feet east and west
Storms Av	Bergen Av to Monticello Av
Summit Av	East: Rock St to 44 feet south of Sip Av
Summit Av	East: Magnolia Av south 175 feet
Summit Av	East: Pavonia Av to 180 feet south of Newark Av
Summit Av	East: 180 feet north of Newark Av to 200 feet south of Route 139
Summit Av	West: 200 feet south of Route 139 to 180 feet north of Newark Av
Summit Av	West: Cottage St to Van Reipen Av
Summit Av	West: Pavonia Av to 118 feet south of Magnolia Av
Third St	Monmouth St to 200 feet west of Brunswick St
Thorne St	Central Ave 200 feet west
Tonnele Av	Sip Av to Kennedy Blvd
Town Square Pl	Ring Rd to Washington Blvd
Tuers Av	West side: Montgomery St to Mercer St
Tuers Av	East side: Montgomery St 250 feet north
Union St	West Side Av 200 feet east and west
Van Reypen St	Sip Av to Academy St
Virginia Av	West Side Av 200 feet west
Warren St	Montgomery St to York St
Warren St	East side: 35 feet north of Columbus Drive to 60 feet north
Washington St	Grand St to Columbus Dr
West Side Av	Claremont Av to Newark Av
West Side Av	Stegman Pkwy to Audubon Av
Williams Av	West Side Av 100 feet west
York St	Washington St to Greene St
Zabriskie St	Central Av 200 feet west

- B. Off-Street Parking Lot Meter Zones. Parking or standing a vehicle in a parking meter space in the off-street parking lot meter zones described below shall be lawful during the hours ~~[specified only]~~ of 9:00 a.m. to 9:00 p.m., Monday through Sunday and only, unless designated otherwise by a sign on the meter or a posted sign, upon the deposit of such amount as is indicated for each specified period of time:

OFF-STREET PARKING LOT METER ZONES	
LOT #	LOCATION
1	Oakland/Washburn/Hoboken Avenue (leased from DOT)
2 [a/k/a 28]	Montgomery Street & Orchard Street (leased)
3 [a/k/a 33]	277 Central Avenue (Sherman Place)
4 [a/k/a 39]	522 West Side Avenue (Between Clendenny Avenue & Union Street)
5 [a/k/a 44]	693 Newark Avenue & Cottage Street
6 [a/k/a 49]	328-348 Central Avenue (Burger King Lot)
9 [a/k/a 52]	174 Newark Avenue
12 [a/k/a 56]	733-735 Newark Avenue (leased from DOT)
13 [a/k/a 15]	754 West Side Avenue (between Fairview and Fairmount Avenue)
14 [a/k/a 3]	352 Central Avenue

15 [a/k/a 4]

388 Central Avenue

- C. Metered Parking Waiver. Upon a finding of public necessity, need or for a public purpose, the Municipal Council may adopt a resolution to allow free parking in any metered zone, on-street or off-street, in whole or in part, for a stipulated period of time. A copy of the resolution shall be immediately forwarded to the Police Chief and Police Director.

§332-49. Through §332-51. No Change.

§332-52. Violations.

It shall be unlawful and a violation of the provisions of this Article for any person to:

- A. Cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described, or to deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.
- B. Permit any vehicle to remain or be placed in any parking space adjacent to any parking meter while said meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period prescribed for such parking space.
- C. Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the area designated by such lines or markings.
- D. Deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this Article.
- E. Deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.
- F. Park or permit the parking of any vehicle in any parking meter space where the meter does not register lawful parking.
- G. Park any vehicle in any one (1) parking meter space at an on-street meter or in an off-street parking meter zone for a period of longer than the maximum time limit as specified on the adjacent meter time dial, during the hours from 9:00 a.m. to 9:00 p.m., Monday through Sunday {prevailing time}.
- H. Cause, allow, suffer or permit any vehicle that shall have been parked in a parking meter space in an off-street parking meter zone or in a parking space in an off-street nonmetered parking zone, during the hours from 9:00 p.m. to 9:00 a.m., prevailing time, to remain so parked beyond the hour of 9:00 a.m.
- I. Park any vehicle in any parking space in an off-street nonmetered parking zone for a period longer than eight (8) hours, during the hours from 9:00 a.m. to 9:00 p.m., prevailing time.
- J. Park a vehicle other than having the front of the vehicle face a meter in any parking meter zone where the parking meter space is at right angles or diagonal to a curb, sidewalk or island.
- K. Operate a vehicle on any driveway of an off-street parking zone in a manner contrary to the restrictions as set forth for such driveway.

- L. Park a commercial vehicle with a combined weight, truck and load, in excess of four thousand (4,000) pounds, in any of the off-street parking zones (metered or nonmetered).
- M. Park a truck, tractor, trailer or a vehicle moved by human or animal power in any of the off-street parking zones (metered or nonmetered).
- N. Park a vehicle not equipped with pneumatic tires properly inflated in any of the off-street parking zones (metered or nonmetered).
- O. Wash, grease or make any repairs, except those of any emergency nature, to any vehicle, in any space in any of the off-street parking zones (metered or non-metered).
- P. Park any vehicle in any one (1) parking meter space on the west side of Douglas and Arthur Skinner Memorial Dr (FKA: Jersey Av) from 3:00 p.m. to 8:00 p.m., Monday through Friday and 9:00 a.m. to 8:00 p.m., Saturday, except holidays.
- B. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- C. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- D. This ordinance shall take effect retroactive to January 1, 2015.
- E. The City Clerk and the Corporation Counsel may change any chapter numbers, article numbers and section numbers if codification of this ordinance reveals a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in ~~[brackets]~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

JM/he
1/06/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐
Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any ordinance that is submitted for Council Consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 332 (VEHICLES AND TRAFFIC) ARTICLE VII (METERED PARKING) OF THE JERSEY CITY MUNICIPAL CODE

Initiator

Department/Division	/ Law	/ Law
Name/Title	Doug Carlucci / Joanne Monahan	/ Asst. Corporation Counsel
Phone/email	/ 201-547-4230	/ joanne@jcnj.org

Note: Initiator must be available by phone during the agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

The purpose of these ordinances is amend the off-street and on-street parking meters hours to clarify the hours and days by code (9 to 9), or as designated on the meter or in signage.

I certify that all the facts presented herein are accurate

Signature of Department Director

Date

City Clerk File No. Ord. 16.008

Agenda No. 3. H 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.008

**TITLE: ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY
CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT
ORDINANCE-R-3 MULTI-FAMILY MID-RISE DISTRICT**

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-62, may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon; and

WHEREAS, the Municipal Council adopted the Land Development Ordinance, Chapter 345 of the Code of the City of Jersey City, on April 11, 2001, (Ordinance No. 01-042), and several amendments since then; and

WHEREAS, the Land Development Ordinance regulates uses in all zones, including the R-3 Multi-Family Mid-Rise District; and

WHEREAS, Chapter 345-42, regulating the R-3 Multi-Family Mid-Rise District, requires clarification regarding requirements for Mid-Rise Apartments; and

WHEREAS, the Municipal Council, pursuant to NJSA 40:55D-64, has sought and received the recommendations of the Jersey City Planning Board relative to these issues; and


WHEREAS, the Planning Board at its meeting of October 6, 2015 did vote to recommend that the Municipal Council adopt these amendments to the R-3 District of the Land Development Ordinance; and

WHEREAS, the amendments to the Land Development Ordinance are attached hereto and made a part hereof, and are available for public inspection at the Office of the City Clerk, City Hall, 280 Grove Street, Jersey City, NJ;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that the Land Development Ordinance, be and hereby is amended as per the attached document;

BE IT FURTHER ORDAINED THAT:

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- B. This ordinance shall be a part of the Jersey City Code as though codified and set forth fully herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Council be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible repealers of existing provisions.
- E. The City Planning Division is hereby directed to give notice at least ten days prior to the hearing on the adoption of this Ordinance to the Hudson County Planning board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after public hearing thereon, the City Clerk is directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Hudson County Planning Board as required by N.J.S. 40:55D-16. The clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Municipal Tax Assessor as required by N.J.S. 40:49-2.1.


Robert D. Cotter, PP, FAICP, Director
Division of City Planning

APPROVED AS TO LEGAL FORM

APPROVED: 

Corporation Counsel

APPROVED: _____

Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE/RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution/ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution/ordinance.

Full Title of Ordinance/Resolution

**ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY
ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE – R-3 MULTI-
FAMILY MID-RISE DISTRICT**

Initiator

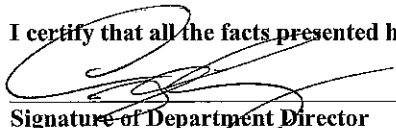
Department/Division	HEDC	City Planning
Name/Title	Robert Cotter, PP, FAICP	Director
	Jeff Wenger, PP, AICP	Principal Planner
Phone/email	201-547-5010	bobbyc@jenj.org / jeff@jenj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Purpose

This Ordinance amends Chapter 345-42 of the Jersey City Land Development Ordinance, regulating the R-3 Multi-Family Mid-Rise District, to delete a phrase within the lot size requirements that may convert "c" variances into "d" variances, which must go to the Zoning Board.

I certify that all the facts presented herein are accurate.


Signature of Department Director


12.22.15
1/4/16
Date

Summary

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY ADOPTING AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE – R-3 MULTI-FAMILY MID-RISE DISTRICT

This Ordinance amends Chapter 345-42 of the Jersey City Land Development Ordinance, regulating the R-3 Multi-Family Mid-Rise District, to delete a phrase within the lot size requirements that may convert "c" variances into "d" variances, which must go to the Zoning Board.

Department of Housing, Economic Development & Commerce
Division of City Planning



Inter-Office Memorandum

DATE: December 22, 2015

TO: Council President Lavarro, Anthony Cruz, Bob Cotter

FROM: Jeff Wenger, PP, AICP

SUBJECT: R-3 Multi-Family Mid-Rise District Amendment

This amendment pertains to the Land Development Ordinance regulations for the R-3 Multi-Family Mid-Rise District (Chapter 345-42). Presently, this section of the ordinance contains language that may convert "c" variances into "d" variances, which must go to the Zoning Board. This unclear language regarding variances may present a litigation risk for the City. This Ordinance amends Chapter 345-42 of the Jersey City Land Development Ordinance to clarify the ordinance's requirements in order to permit mid-rise multifamily buildings within the R-3 zone as originally intended.

AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE – R-3 MULTI-FAMILY MID-RISE DISTRICT

01/11/2015 - As presented to the City Council

Material indicated by strikethrough ~~like this~~ is existing material that is intended to be deleted.

Material indicated by bold italic *like this* is new material that is intended to be enacted.

345-42. R-3- MULTI-FAMILY MID-RISE DISTRICT

A. Purpose.

The purpose of the multi-family mid-rise district is to provide for a broad range of multi-family housing in areas served by arterial streets, mass transit, neighborhood commercial uses and community facilities.

The purpose of this zone is to relate the building to the street and not create the type of development that centers the tower in a sea of parking, disconnecting the building from the street.

The multi-family mid-rise district contains mid-rise buildings of 3 to 8 stories.

B. Permitted principal uses are as follows:

1. Mid-rise apartment buildings. (see 345-6 for definition)
2. Townhouses with no less than three dwelling units.
3. Three and four family detached dwellings
4. Houses of worship.
5. Parks and playgrounds.
6. Essential services.
7. Schools.
8. Governmental uses.
9. Office uses, including medical offices for no more than two practitioners, as part of the ground floor of mid-rise apartment buildings along John F. Kennedy Boulevard.
10. Assisted living residences.
11. Nursing homes.
12. Senior housing.
13. Ground floor retail, limited to new construction on corner lots.

C. Uses incidental and accessory to the principal use, such as:

1. Private Garages
2. Off-street parking
3. Fences and walls
4. Meeting rooms, cafeterias, recreation areas and similar uses normally associated with schools, houses of worship and other public buildings.
5. Home Occupations
6. Swimming pools
7. Recreation areas as part of residential developments
8. Signs

D. Conditional Uses

1. Mortuaries

E. Bulk Standards for Townhouses, 3- & 4-Family Detached Dwellings, and Mid-Rise Apartments:

1. Required Lot Size:

- a) Any lot existing at the time of adoption of this Ordinance with an area of at least 2,000 square feet shall be considered conforming, provided that such lot is isolated (i.e., no adjacent, vacant lot(s) exist) and provided that it is not held in common ownership with any adjacent lot/parcel fronting on the same street.
- b) Lots with an area of 6,000 square feet or more and a width of at least 60 feet shall not be subdivided without application to a land use board for variance approval.
- c) Townhouses with three (3) or four (4) dwelling units are permitted on isolated lots, or lots approved by subdivision, with an area of at least 2,000 square feet, but not more than 3,000 square feet, and where the existing houses on both adjacent lots are built to the side lot line(s). (use location of single adjacent house for corner lots)
- d) Detached 3- and 4-family dwellings are permitted on isolated lots, or lots approved by subdivision, with an area from 2,500 square feet to 6,000 square feet where existing houses on either or both adjacent lots are not built to the side lot line(s).
- e) Mid-rise apartment buildings are permitted on any lot 6,000 square feet or greater. ~~provided all bulk and parking standards are met.~~

2. Graduated Density Table

LOT DIMENSIONS	LOT SIZE	Max. dwelling units/acre *
60x100	6,000	60
	7,000	65
	7,500	70
	8,000	75
	9,000	80
75x100	10,000	85
	11,000	90
	12,000	95
	13,000	100
	14,000	105
	15,000	110
	16,000	115
	17,000	120
	18,000	125
	19,000	130
100x100	20,000	135
	21,000	140
	22,000	145

*applicable density for any interim lot size shall apply and may be calculated as needed, rounding down for fractions less than 0.5 and up for fractions of 0.5 or greater.

Lots with greater than 22,000 sf shall be capped at 145 units per acre.

3. Minimum Lot Width:

- a) Townhouses: 20 feet
- b) Three and Four Family Detached Dwellings: 25 feet
- c) Mid-Rise Apartment Buildings: 60 feet
- d) Any use with ground floor retail: minimum lot width shall be fifty feet (50') or the minimum for the use, whichever is greater.

4. Minimum Lot Depth: 100 feet

5. Required Front Yard:

- a) Townhouses: Predominant setback shall apply
- b) Three and Four Family Detached Dwellings:

Front yard setback shall match the setback of the Primary Building Façade of the closest permitted use on either side of the subject parcel, provided that the building setback to be matched shall be closest to the predominant (most frequently occurring) setback on the blockfront. A current signed and sealed survey of the subject property showing adjacent building setbacks on both sides along with photos showing the entire blockfront to the left and right of the subject property must be provided to the Zoning Officer as part of the application for a building permit. (see Article I for definition of Primary Building Façade)

- c) Mid-Rise Apartment Buildings: shall match the front yard setback of the primary building façade of adjacent building(s), if any, or a minimum of 5 feet and a maximum of 10 feet shall apply if no adjacent building.

6. Minimum Rear Yard:

- a) Townhouses: 30 feet
- b) Three and Four Family Detached Dwellings: R-1 standards for One & Two Family Dwellings shall apply
- c) Mid-Rise Apartment Buildings: Ground floor or single floor partially above grade parking garages may be built to the rear lot lines in accordance height restrictions (see 8.c below), and all floors above the garage shall provide a minimum of 30 feet.

7. Required Side Yard:

- a) Townhouses: 0 required (i.e., must be built to the side lot line) except 3 feet required if there is an adjacent house with windows along the side wall, starting from one (1) foot before the frontmost existing window;
- b) Three and Four Family Detached Dwellings: minimum 2 feet one side, 3 feet other side, 5 feet total both sides on lots less than 37 feet in width; minimum 5 feet on each side on lots 37 feet in width or greater.
- c) Mid-Rise Apartment Buildings: parking garage level(s) may be built to the side lot line, and residential floors shall provide a minimum of five (5) feet on each side.

8. Minimum and Maximum Building Height:

- a) Townhouses & Three and Four Family Detached Dwellings: 3 stories minimum and 4 stories & 42 feet maximum including above-grade parking level, and a minimum floor to

ceiling height of 9 feet for above-grade entirely residential floors, and a maximum floor to ceiling height of 8 feet for a parking level and any residential unit located on the same level as parking.

- b) Mid-Rise apartment Buildings: 3 stories minimum and 8 stories and 85 feet maximum including above-grade parking levels, and a minimum floor to ceiling height of 9 feet for all residential floors, and a maximum floor to ceiling height of 8 feet for a parking level and any residential unit located on the same level as parking.
- c) No wall/elevation of any parking structure connected to a mid-rise apartment building shall rise more than 10 feet above the existing grade.

9. Maximum Building Coverage:

- a) Townhouses & Three and Four Family Detached Dwellings: 60%;
- b) Mid-Rise Apartment Buildings – up to 100% building coverage shall be permitted only for a parking garage level at grade or partially below grade and where the front yard standard requires between 0 and 4.99 feet (see front yard standard); 65% for all residential floors above the garage on lots of 10,000 square feet or less; and 75% for all residential floors on lots over 10, 000 square feet

10. Maximum Lot Coverage:

- a) Townhouses & Three and Four Family Detached Dwellings: 80%
- b) Mid-Rise Apartment Buildings: up to 100% lot coverage shall be permitted only for a parking area or parking garage at grade or partially below grade and where the front yard setback standard requires between 0 and 4.99 feet (see front yard standard) and where buffer requirements allow; 75% if parking is entirely below grade

11. Maximum Accessory Building Height: 15 feet

12. Minimum Accessory Building Setbacks:

Rear yard: 3 feet
Side yard: 2 feet

F. Parking Standards for Townhouses & Three and Four Family Detached Dwellings:

1. On lots less than 37 feet in width the following shall apply:

- a) Parking is not required; a maximum of two (2) spaces are permitted
- b) Maximum width of curb cut: 10 feet; Maximum width of driveway: 10 feet; Maximum garage door width: 10 feet; only a single curb cut is permitted along the front property line.
- c) All parking shall be contained within the building envelope and spaces may be located one behind the other
- d) On corner lots, a parking garage located at the rear of the building may be accessed through the rear yard via a single 10 feet wide curb cut, or two garage doors may be located along the rear portion the long side of the building and two 10 feet wide driveways shall be separated by a 2 feet wide pier and a curbed landscape bed.

2. On lots 37 feet in width or greater the following shall apply:

- a) One (1) space per dwelling unit is required
 - b) Garage doors shall not face the front of the lot.
 - c) Except on corner lots, parking spaces shall be accessed by a single driveway, running from the front of the property along the side of the house, and the spaces shall be located either in the rear yard or in a garage, but not both.
 - d) On corner lots, parking shall be accessed through the rear yard via a single curb cut.
3. Where there is construction of two or more homes with permitted driveways on adjacent lots, new driveways shall be located so as to maximize on-street parking space; no existing street tree shall be removed to create a driveway without prior approval by the Jersey City Division of Parks & Forestry. Prior to approving any plan to remove a tree to create a driveway it shall be demonstrated that no other way to construct the driveway is feasible under the construction code.

G. Parking Standards for Mid-Rise Apartment Buildings:

- 1. None for efficiency units
- 2. 0.5 space for 1 bedroom units
- 3. 1.0 space for units with 2 or more bedrooms
- 4. Office uses where permitted: none
- 5. A minimum 10 feet wide vegetative landscape buffer is required between on-site surface parking areas for mid-rise apartment buildings and any adjacent residential zones of lower density than R-3 (includes R-2, R-1, R-1A, R-1F, and any other zones of similar low density yet to be adopted).

H. Parking Standards for Retail: one space per six hundred (600) square feet, excluding the first five thousand (5,000) square feet of retail floor area.

I. Bulk and Parking Standards for Houses of Worship, schools and Governmental Uses, see R-1 Bulk and Parking Standards

J. Bulk and Parking Standards for Assisted Living Residences, Nursing Homes and Senior Housing. See R-1 Bulk and Parking Standards.

K. Conditional Use Standards

- 1. Mortuaries - See R-1 Conditional Use Standards.

City Clerk File No. Ord. 16.009

Agenda No. 3.1 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.009

TITLE:

**ORDINANCE BY THE MUNICIPAL COUNCIL OF THE CITY
OF JERSEY CITY AMENDING ORDINANCE 15.111
ACCEPTING THE DEDICATION OF CERTAIN ROADWAYS,
SIDEWALKS, UTILITIES, AND A PARK LOCATED WITHIN
THE LIBERTY HARBOR NORTH REDEVELOPMENT AREA**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, Ordinance 15.111 adopted on September 9, 2015 authorized the City of Jersey City ("City") to accept the dedication of certain roadways, sidewalks and utility improvements within the Liberty Harbor North Redevelopment; and

WHEREAS, Ordinance 15.111 authorized the City to accept deeds of dedication from Liberty Harbor North Urban Renewal, LLC ("LHNUR"), the Jersey City Redevelopment Agency ("JCRA"), and Grand LHN III Urban Renewal, LLC ("Grand LHN"); and

WHEREAS, the City accepted and recorded deeds of dedication from LHNUR and the JCRA; and

WHEREAS, Ordinance 15.111 contained an erroneous description of the land that Grand LHN has offered to dedicate as a public right of way; and

WHEREAS, the correct description of the land is contained in Schedule 8 attached hereto; and

WHEREAS, it is necessary to amend Ordinance 15.111 to include the correct description of the land that Grand LHN is dedicating as a public right of way; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:67-1 and N.J.S.A. 40A:12-5 to accept the conveyance and dedication of lands and public improvements for public purposes.

NOW, THEREFORE BE IT ORDAINED, by the Municipal Council of the City of Jersey City that:

1. A portion of the land, improvements and appurtenances thereon owned by Grand LHN and located within the Liberty Harbor North Redevelopment Area, more particularly described as follows:

- a) Block 15901, Lot 7, formerly known as Block 60.04, Lot 22, shown on Exhibit "A" attached hereto and more particularly described on Schedule 8, attached hereto

Be and the same are hereby accepted and dedicated as a public right of way.

- A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed;
- B. This ordinance shall be a part of the Jersey City Code as though codified and fully set forth herein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code;
- C. This ordinance shall take effect at the time and in the manner as provided by law; and

- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

12-23-15
RR

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

ORDINANCE BY THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY AMENDING ORDINANCE 15.111 ACCEPTING THE DEDICATION OF CERTAIN ROADWAYS, SIDEWALKS, UTILITIES, AND A PARK LOCATED WITHIN THE LIBERTY HARBOR NORTH REDEVELOPMENT AREA

Initiator

Department/Division	Law	Law
Name/Title	Raymond Reddington	Supervisory Asst. Corp. Counsel
Phone/email	547-5063	Raymondrr@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

Ordinance 15.111 adopted on September 9, 2015 authorized the City of Jersey City ("City") to accept the dedication of certain roadways, sidewalks and utility improvements within the Liberty Harbor North Redevelopment. It authorized the City to accept deeds of dedication from Liberty Harbor North Urban Renewal, LLC ("LHNUR"), the Jersey City Redevelopment Agency ("JCRA"), and Grand LHN III Urban Renewal, LLC ("Grand LHN"). The City accepted and recorded deeds of dedication from LHNUR and the JCRA. Ordinance 15.111 contained an erroneous description of the land that Grand LHN has offered to dedicate as a public right of way. It is necessary to amend Ordinance 15.111 to include the correct description of the land that Grand LHN is dedicating as a public right of way.

I certify that all the facts presented herein are accurate.

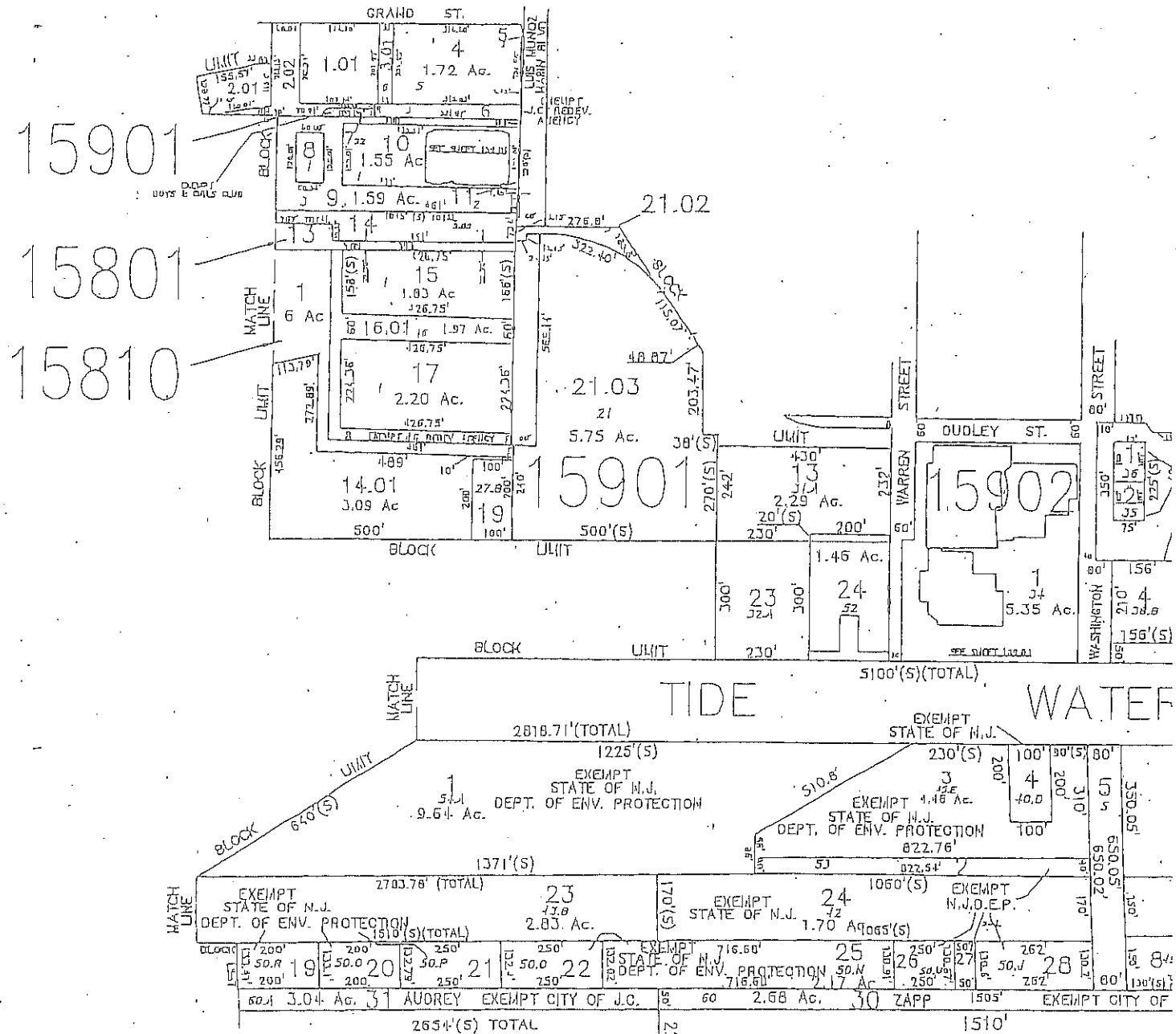
Signature of Department Director

Date

EXHIBIT A

SEE SHEET 14-2

SEE SHEET 158



SCHEDULE # 8



BIRDSALL SERVICES GROUP

ENGINEERS & CONSULTANTS

A COPY OF THIS DEED
HAS BEEN SENT TO ASSESSOR'S OFFICE

April 10, 2013

Job No. 01229100001

DESCRIPTION OF PROPERTY

LOT 7, BLOCK 15901

SITUATED IN

CITY OF JERSEY CITY, HUDSON COUNTY, NEW JERSEY

Being known and designated as Lot 7 Block 15901 as shown on the current Tax Map for the City of Jersey City, Hudson County, New Jersey, Sheet No. 159; Said Lot 7 Block 15901 being also known and designated as Lot 7 Block 15901 on a map entitled "Preliminary/Final Major Subdivision Block 60.04 Lots 20 & 21 Grove Square (Lot 5.10) Block 60.06, Lot 6 Liberty Harbor North "Block 5" Situated In City of Jersey City, Hudson County, New Jersey", prepared by Birdsall Services Group and recorded in the Hudson County Register's Office on March 25, 2013 as Filed Map No. 20130325130000050; Said Lot 7 also being formerly known as Lot 22 Block 60.04 as shown on the above mentioned Filed Map;

Said Lot 7 in Block 15901 being more particularly described as follows:

BEGINNING at an angle point in the Westerly line of Lot 6 Block 15901; said point being at the division line between Lots 2 and 7 Block 15901; Said point being the following (4) four courses from the point of intersection between the Southerly line of, (80.0' R.O.W.), Grand Street with the Westerly line of, (R.O.W. varies, 60.0' Tax Map), Luis Munoz Marin Boulevard;

- A. North 81 degrees 52 minutes 26 seconds West, a distance of 321.05 feet measured along the said Southerly line of Grand Street to a point at the division line between Lots 3 and 4 Block 15901; thence
- B. South 08 degrees 03 minutes 50 seconds West, a distance of 204.92 feet measured along the division line between said Lots 3 and 4 Block 15901 to the point a point in the Northerly line of Lot 6 Block 15901; thence
- C. North 81 degrees 56 minutes 10 seconds West, a distance of 46.00 feet measured along the northerly line of said Lot 6 Block 15901 to a point in the Easterly line of Lot 2 Block 15901; thence
- D. South 08 degrees 03 minutes 50 seconds West, a distance of 14.00 feet measured along the division line between Lots 2 and 6 Block 15901 to the point and place of BEGINNING, thence running
1. South 00 degrees 31 minutes 54 seconds East, a distance of 28.34 feet measured along the division line between Lots 6 and 7, Block 15901 to a point in the Northerly line of Lot 9 Block 15901; thence

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611 Industrial Way West, Eatontown, NJ 07724 | 888.335.8501 (2744) | 732.380.1701 fax



A COPY OF THIS DEED
HAS BEEN SENT TO ASSESSOR'S OFFICE

April 10, 2013

Job No. 01229100001

Page 2 of 2

2. North 81 degrees 56 minutes 10 seconds West, a distance of 200.13 feet measured along the division line between Lots 7 and 9 Block 15901 to a point at the division line between Lots 2 and 7 Block 15901; thence the following four (4) courses along the division line between said Lots 2 and 7 Block 15901.
3. Along a curve to the right in a Southeasterly direction, having a radius of 48.00 feet, an arc length of 9.94 feet, a central angle of 11 degrees 52 minutes 04 seconds, a chord bearing of South 87 degrees 52 minutes 12 seconds East and a chord distance of 9.92 feet to a point of tangency; thence
4. South 81 degrees 56 minutes 10 seconds East, a distance of 70.91 feet to a point; thence
5. Along a curve to the right in a Northeasterly direction, having a radius of 48.00 feet, an arc length of 53.66 feet, a central angle of 64 degrees 03 minutes 20 seconds, a chord bearing of North 66 degrees 02 minutes 10 seconds East and a chord distance of 50.91 feet to a point of tangency; thence
6. South 81 degrees 56 minutes 10 seconds East, a distance of 71.95 feet to the point or place of BEGINNING.

Containing 3,034 Square Feet (0.07 Acres)

The described property subject to any and all easements and/or restrictions being within and/or crossing the same bounds as described above.

Prepared By:
BIRDSALL SERVICES GROUP

Frank J. Barlowski
Professional Land Surveyor
New Jersey License No. 39735

City Clerk File No. Ord. 16.010

Agenda No. 3.J 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.010

**TITLE: AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED
PROPERTY WITHIN THE MORRIS CANAL REDEVELOPMENT AREA
TO THE JERSEY CITY REDEVELOPMENT AGENCY**

WHEREAS, the City of Jersey City is the owner of certain parcels of real property known and designated as:

<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
15802	38	56-58 Maple Street
15802	40	48-50 Maple Street

situated in the City of Jersey City, Hudson County, New Jersey; and as more particularly shown on the Official Assessment Map and referenced in the designation assigned to individual tax lots in the records of the Tax Assessor (hereinafter "Property"); and

WHEREAS, the Municipal Council of the City of Jersey City has declared, that the Property contained within the Morris Canal Study Area is an area deemed "in need of redevelopment" pursuant to N.J.S.A. 40A:55-12 et. seq.; and

WHEREAS, the Municipal Council adopted, by Ordinance No.99-035 at its meeting of March 22, 1999, the Morris Canal Redevelopment Plan; and

WHEREAS, the Property lies within the legally established boundaries of the Morris Canal Redevelopment Plan Area; and

WHEREAS, the Jersey City Redevelopment Agency has the responsibility of acquiring property within the Morris Canal Redevelopment Area to effectuate the rehabilitation, redevelopment and revitalization of the Morris Canal Redevelopment Area; and

WHEREAS, the Jersey City Redevelopment Agency has deemed it necessary to acquire the Property from the City of Jersey City to accomplish the objectives of the Morris Canal Redevelopment Plan; and

WHEREAS, the City of Jersey City may transfer the Property to the Jersey City Redevelopment Agency pursuant to N.J.S.A. 40A:12A-39(a) & (f).

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

1. Pursuant to N.J.S.A. 40A:12A-39(a) & (f) the transfer of Property known as

<u>BLOCK</u>	<u>LOT</u>	<u>STREET ADDRESS</u>
15802	38	56-58 Maple Street
15802	40	48-50 Maple Street

to the Jersey City Redevelopment Agency is hereby authorized.

2. That the Mayor, Business Administrator and appropriate Division of the municipality are hereby authorized and directed to execute a deed and all necessary or appropriate instruments to convey and effectuate the transfer of the aforesaid Property to the Jersey City Redevelopment Agency.

- A. All Ordinances and part of Ordinances inconsistent herewith are hereby repealed.
- B. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- C. This Ordinance shall take effect at the time and in the manner as provided by law.
- D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of the Ordinance reveals that there is a conflict between those numbers and the existing code in order to avoid confusion and possible accidental repealers of existing provisions.

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

AN ORDINANCE AUTHORIZING THE TRANSFER OF CITY-OWNED PROPERTY WITHIN THE MORRIS CANAL REDEVELOPMENT AREA TO THE JERSEY CITY REDEVELOPMENT AGENCY

Initiator

Department/Division	Jersey City Redevelopment Agency	
Name/Title	David P. Donnelly	Executive Director
Phone/email	201-761-0828	DonnellyD@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

This Ordinance will authorize the City of Jersey City to transfer City owned property to the Agency for development purposes. The Agency has been charged with the responsibility of acquiring property in the Morris Canal Redevelopment Area to effectuate the rehabilitation, redevelopment and the revitalization initiatives of the Morris Canal Redevelopment Plan.

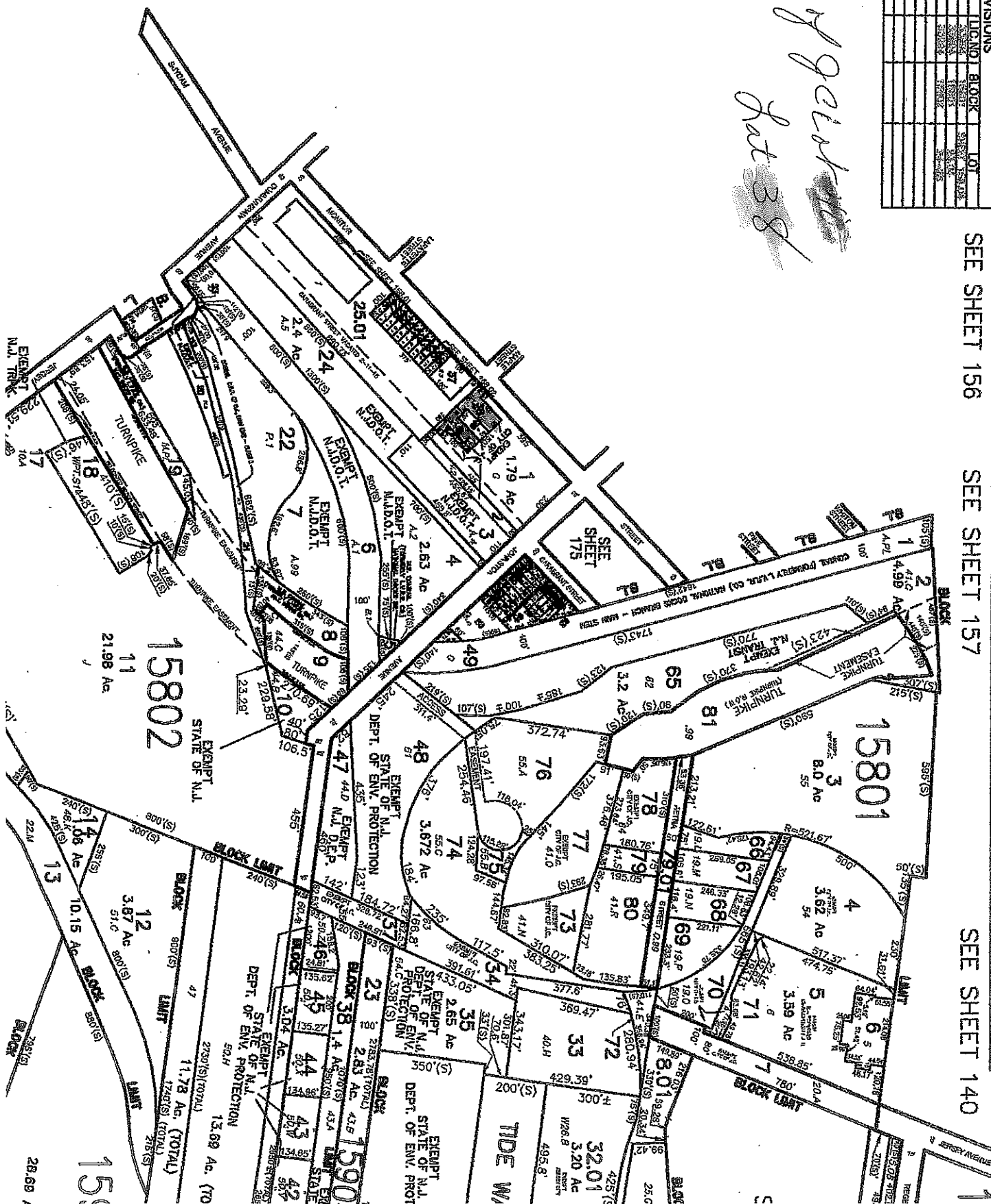
I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

SEE SHEET 140

City of Gold
Lat 38



City Clerk File No. Ord. 16.011

Agenda No. 3.K 1st Reading

Agenda No. _____ 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 16.011

TITLE: AN ORDINANCE APPROVING A 20 YEAR TAX EXEMPTION FOR A MARKET RATE MIXED-USE RENTAL PROJECT TO BE CONSTRUCTED BY 305 WEST SIDE URBAN RENEWAL, LLC, AN URBAN RENEWAL ENTITY, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW N.J.S.A. 40A:20-1 ET SEQ.

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY DOES ORDAIN:

WHEREAS, 305 West Side Urban Renewal, LLC, is an urban renewal entity, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (Entity); and

WHEREAS, the Entity is the owner of a certain property identified as Block 22102, Lot 25, on the City's Official Tax map, consisting of approximately 0.24 acres, and more commonly known by the existing street address of 2 Fisk Street, and more specifically described by metes and bounds, in the application (Property); and

WHEREAS, the Property is located within the West Side Avenue Redevelopment Plan Area as required by N.J.S.A. 40A:20-4 and N.J.S.A. 40A:12A-5(g); and

WHEREAS, the Project received a site plan approval from the Planning Board on August 7, 2012; and

WHEREAS, the Entity has applied for a twenty (20) year long term tax exemption to apply to its project which shall consist of a five (5) story mixed-use building with thirty-nine (39) residential units, approximately three-thousand and seven-hundred (3,700) square feet of ground-floor retail/commercial space and nineteen (19) parking spaces ("the Project"); and

WHEREAS, the Property is in located within Tier IV of the Jersey City Tax Abatement Policy Map and Tier IV allows tax abatements for a period of up to thirty (30) years at ten (10%) percent of annual gross revenue; and

WHEREAS, the Entity has requested a term of the earlier of twenty-five (25) years from the effective date of an ordinance approving the abatement, or twenty (20) years from the date that the Project is deemed substantially complete; and

WHEREAS, the Entity proposes an annual service charge based upon twelve percent (12%) of gross revenue, and in addition the Applicant would pay an annual fee to Hudson County based upon five (5%) percent of the service charge, and an administrative fee to the City of two (2%) percent of the service charge; and

WHEREAS, 305 West Side Urban Renewal, LLC, has agreed to:

1. pay the greater of (i) the Minimum Annual Service Charge or (ii) 12% of Annual Gross Revenue each year, which sum is estimated to be \$92,301, and which shall be subject to statutory staged increases over the term of the tax exemption; and

2. pay an annual sum equal to 2% of each prior year's Annual Service Charge as an Administrative Fee; and
3. provide employment and other economic opportunities for City residents and businesses;
4. pay to City for remittance to Hudson County, an equal to 5% of the Annual Service Charge upon receipt of that charge; and
5. provide a contribution to the City's Affordable Housing Trust Fund, pursuant to Ordinance 03-112, in the amount of \$71,550. This payment is nonrefundable and non-transferrable and shall be forfeited by the Entity should either party terminate the tax exemption prior to the end of the herein term.

WHEREAS, the City hereby determines that the relative benefits of the project outweigh the cost of the tax exemption, for the following reasons:

1. the current real estate taxes generate revenue of only \$15,712, whereas, the Annual Service Charge as estimated, will generate revenue of more than \$92,301 to the City and an additional sum of approximately \$4,537 to Hudson County;
2. it is expected that the Project will create approximately forty (40) jobs during construction and approximately four (4) permanent jobs after construction.
3. the Project will stabilize and contribute to the economic growth in the surrounding area;
4. the Project will further the overall redevelopment objectives of the West Side Avenue Redevelopment Plan;
5. the City's impact analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City; and

WHEREAS, the City hereby determines that the tax exemption is important in obtaining development of the project and influencing the locational decisions of probable occupants for the following reasons:

1. the relative stability and predictability of the Annual Service Charges will make the Project more attractive to investors needed to finance the Project;
2. the relative stability and predictability of the Annual Service Charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project, which will attract purchasers to the Project and insure the likelihood of the success of the Project; and

WHEREAS, 305 West Side Avenue Urban Renewal, LLC has initially complied with Executive Order 2002-005 concerning "Disclosure of Lobbyist Representative Status" by filing an appropriate letter in the Office of the City Clerk; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that:

A. The application of 305 West Side Avenue Urban Renewal, LLC an urban renewal company, formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. a copy of which is on file in the office of the City Clerk, for Block 22102 Lot 25, more commonly known by the street address of 2 Fisk Street and more specifically described by metes and bounds in the application is hereby approved.

B. The Mayor or Business Administrator is hereby authorized to execute a tax exemption Financial Agreement and a Project Employment and Contracting Agreement. The Financial Agreement shall include at a minimum the following terms and conditions:

1. Term: the earlier of twenty-five (25) years from the adoption of an ordinance approving the abatement, or twenty (20) years from the date that the Project is substantially complete; and
 2. Annual Service Charge: each year the greater of:
 - (a) the Minimum Annual Service Charge equal to \$15,712 upon Project Completion, whether or not the Project is occupied; or
 - (b) 12% of Annual Gross Revenue, estimated at \$92,301, which shall be subject to statutory increases during the term of the tax exemption.
 3. Administrative Fee: 2% of the prior year's Annual Service Charge or \$1,815;
 4. County Payment: an additional 5% of the Annual Service Charge for remittance by the City to Hudson County or \$4,537;
 6. Affordable Housing Trust Fund: provide a contribution to the City's Affordable Housing Trust Fund, pursuant to Ordinance 03-112, in the amount of \$71,550, which represents \$1,500 per unit at 39 units ($\$1,500 \times 39 = \$58,500$); \$1.50 per square foot of commercial space, ($\$1.50 \times 3,700$ square feet of commercial = \$5,550) and \$1.50 per approximately 5,000 square feet of parking ($\$1.50 \times 5,000 = \$7,500$). This payment is nonrefundable and non-transferrable and shall be forfeited by the Entity should either party terminate the tax exemption prior to the end of the herein term;
 7. Project: a five (5) story mixed-use rental residential building with thirty-nine (39) residential units, approximately three-thousand and seven-hundred (3,700) square feet of ground-floor retail/commercial space and nineteen (19) parking spaces;
 8. An obligation to execute (i) a Project Employment and Contracting Agreement to insure employment and other economic benefits to City residents and businesses;
 9. This Ordinance will sunset and the Tax Exemption will terminate unless construction of the Project begins within two (2) years of the adoption of the within Ordinance.
- C. The City Clerk shall deliver a certified copy of the Ordinance and Financial Agreement to the Tax Assessor and Director of the Division of Local Government Services.
 - D. The application is on file with the office of the City Clerk. The Financial Agreement and Project Employment and Contracting Agreement shall be in substantially the form on file in the Office of the City Clerk, subject to such modification as the Business Administrator or Corporation Counsel deems appropriate or necessary. The applicant shall execute the tax exemption agreement within ninety (90) days of the date of adoption of the herein Ordinance. Failure to comply shall result in the Ordinance being repealed and the tax exemption rescinded.
 - E. The actual date of execution of the tax exemption agreement shall not affect, alter or amend the Entity's obligation to make payments according to the intervals set forth in Section 304-28 of the Municipal Code and the tax exemption agreement. Should the Entity fail to make timely payments, interest shall begin to accrue at the rate set forth in the tax exemption agreement.
 - F. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
 - G. This ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - H. This ordinance shall take effect at the time and in the manner provided by law.

- I. The City Clerk and Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All material is new; therefore underlining has been omitted.
For purposes of advertising only, new matter is indicated by **bold face** and repealed matter by *italic*.

JJH 1/5/16

APPROVED AS TO LEGAL FORM

APPROVED: _____

Corporation Counsel

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

RESOLUTION FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any resolution that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the resolution.

Full Title of Ordinance/Resolution

Ordinance approving Twenty Year tax abatement for a Market Rate Mixed-use Rental Project Constructed by 305 West Side Avenue Urban Renewal, LLC, An Urban Renewal Entity pursuant to the Long-term Tax Exemption Law N.J.S.A. 40A:20-1 et. seq. at Block 22102 Lot 25 To be known as 2 Fisk Street.

Initiator

Department/Division	Office of the Mayor	
Name/Title	Marco Vigil	Deputy Mayor
Phone/email	(201)-547-6542	mvigil@icnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Resolution Purpose

The applicant project will be a five (5) story market rate mixed-use rental project within the West Side Avenue Redevelopment Plan area. The proposed project at Block 22102 – Lot 25 is located in Tier IV on the Jersey City Tax Exemption Policy Map. The application fee of \$9,500 was paid.

The applicant has requested a term of the lesser of twenty-five (25) years from the date of approval of an ordinance approving the abatement or twenty (20) years from substantial completion of the project.

Currently vacant land, the proposed project will be a five story building with thirty-nine (39) market rate residential units, approximately 3,700 square feet of ground floor commercial/retail space and nineteen (19) parking spaces.

I certify that all the facts presented herein are accurate.


Signature of Department Director


Date

**Re: 2 Fisk Street
Approximately 0.24 Acres
Block 22102, Lot 25
West Side Avenue Redevelopment Plan**

PREAMBLE

THIS FINANCIAL AGREEMENT, [Agreement] is made the 27th day of January, 2016 by and between **305 WEST SIDE AVENUE URBAN RENEWAL**, an urban renewal entity formed and qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq., having its principal office at 422 61st Street, West New York, New Jersey 07093 [Entity], and the **CITY OF JERSEY CITY**, a Municipal Corporation of the State of New Jersey, having its principal office at 280 Grove Street, Jersey City, New Jersey 07302 [City].

RECITALS

WITNESSETH:

WHEREAS, the Entity is the Owner [or Lessee] pursuant to Deed [or Lease] dated July 28, 2015, of certain property designated as Block 22102, Lot 25, more commonly known by the street address of 2 Fisk Street, Jersey City, and more particularly described by the metes and bounds description set forth as Exhibit 1 to this Agreement; and

WHEREAS, this property is located within the boundaries of the West Side Avenue Redevelopment Plan Area; and

WHEREAS, the Entity plans to construct a five (5) story building with approximately thirty-nine (39) market rate residential rental units, approximately three-thousand and seven-hundred (3,700) square feet of ground-floor retail/commercial space and a garage unit to contain approximately nineteen (19) parking spaces; [Project]; and

WHEREAS, on August 7, 2012 the Project received site plan approval from the Planning Board; and

WHEREAS, on October 5, 2015, the Entity filed an Application with the City for a long

term tax exemption for the Project; and

WHEREAS, by the adoption of Ordinance 16.____ on January 27, 2016, the Municipal Council approved a long term tax exemption for the Project and authorized the execution of a Financial Agreement; and

WHEREAS, the City made the following findings:

A. Relative Benefits of the Project when compared to the costs:

1. the current real estate tax generates revenue of only \$15,712 whereas, the Annual Service charge as estimated, will generate revenue to the City of approximately \$92,301;
2. as required by Ordinance 13-088, the Entity shall pay the City the sum of \$23,850 on or before the effective date of the Ordinance approving the Financial Agreement, and will pay the balance of \$47,700 as an affordable housing contribution as required by the Ordinance;
3. it is expected that the Project will create approximately forty (40) new construction jobs and four (4) new permanent full time jobs;
4. the project should stabilize and contribute to the economic growth of existing local business and to the creation of new businesses, which cater to the new occupants;
5. the Project will further the objectives of the West Side Avenue Redevelopment Plan and will include the development of vacant property;
6. the City's Impact Analysis, on file with the Office of the City Clerk, indicates that the benefits of the Project outweigh the costs to the City; and

B. Assessment of the Importance of the Tax Exemption in obtaining development of the project and influencing the locational decisions of probable occupants:

1. the relative stability and predictability of the annual service charges will make the Project more attractive to investors and lenders needed to finance the Project; and
2. the relative stability and predictability of the service charges will allow the owner to stabilize its operating budget, allowing a high level of maintenance to the building over the life of the Project, which will attract occupants to the Project, insure the likelihood of stabilized rents to tenants and the success of the Project; and
3. have a positive impact on the surrounding area.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, it is mutually covenanted and agreed as follows:

ARTICLE I - GENERAL PROVISIONS

Section 1.1 Governing Law

This Agreement shall be governed by the provisions of the Long Term Tax Exemption Law, as amended and supplemented, N.J.S.A. 40A:20-1 et seq., Executive Order of the Mayor 2015-007, Disclosure of Lobbyist Status, Ordinance 02-075, and Ordinance 16.____, which authorized the execution of this Agreement. It being expressly understood and agreed that the City expressly relies upon the facts, data, and representations contained in the Application, attached hereto as Exhibit 3, in granting this tax exemption.

Section 1.2 General Definitions

Unless specifically provided otherwise or the context otherwise requires, when used in this Agreement, the following terms shall have the following meanings:

- i. Allowable Net Profit - The amount arrived at by applying the Allowable Profit Rate to Total Project Cost pursuant to N.J.S.A. 40A:20-3(c).
- ii. Allowable Profit Rate - The greater of 12% or the percentage per annum arrived at by adding 1.25% to the annual interest percentage rate payable on the Entity's initial permanent mortgage financing. If the initial permanent mortgage is insured or guaranteed by a governmental agency, the mortgage insurance premium or similar charge, if payable on a per annum basis, shall be considered as interest for this purpose. If there is no permanent mortgage financing, or if the financing is internal or undertaken by a related party, the Allowable Profit Rate shall be the greater of 12% or the percentage per annum arrived at by adding 1.25% per annum to the interest rate per annum which the municipality determines to be the prevailing rate on mortgage financing on comparable improvements in Hudson County. The provisions of N.J.S.A. 40A:20-3(b) are incorporated herein by reference.
- iii. Annual Gross Revenue - Any and all revenue derived from or generated by the Project of whatever kind or amount, whether received as rent from any tenants or income or fees from third parties, including but not limited to fees or income paid or received for parking, or as user fees or for any other services. No deductions will be allowed for operating or maintenance

costs, including, but not limited to gas, electric, water and sewer, other utilities, garbage removal and insurance charges, whether paid for by the landlord, tenant or a third party.

iv. Annual Service Charge - The amount the Entity has agreed to pay the City each year for municipal services supplied to the Project, which sum is in lieu of any taxes on the Improvements, pursuant to N.J.S.A. 40A:20-12. It shall include a payment for all annual excess profit.

v. Auditor's Report - A complete annual financial statement outlining the financial status of the Project, which shall also include a certification of Total Project Cost and clear computation of the annual Net Profit. The contents of the Auditor's Report shall have been prepared in conformity with generally accepted accounting principles and shall contain at a minimum the following: a balance sheet, a statement of income, a statement of retained earnings or changes in stockholders' equity, a statement of cash flows, descriptions of accounting policies, notes to financial statements and appropriate schedules and explanatory material results of operations, cash flows and any other items required by Law. The Auditor's Report shall be certified as to its conformance with such principles by a certified public accountant who is licensed to practice that profession in the State of New Jersey.

vi. Certificate of Occupancy - A document, whether temporary or permanent, issued by the City authorizing occupancy of a building, in whole or in part, pursuant to N.J.S.A. 52:27D-133.

vii. Debt Service - The amount required to make annual payments of principal and interest or the equivalent thereof on any construction mortgage, permanent mortgage or other financing including returns on institutional equity financing and market rate related party debt for the project for a period equal to the term of this agreement.

viii. Default - Shall be a breach of or the failure of the Entity to perform any obligation imposed upon the Entity by the terms of this Agreement, or under the Law, beyond any applicable grace or cure periods.

ix. Entity - The term Entity within this Agreement shall mean 305 West Side Avenue Urban Renewal, LLC, which Entity is formed and qualified pursuant to N.J.S.A. 40A:20-5. It shall also include any subsequent purchasers or successors in interest of the Project, provided they are formed and operate under the Law.

x. Improvements or Project - Any building, structure or fixture permanently affixed to the land and to be constructed and tax exempted under this Agreement.

xi. In Rem Tax Foreclosure or Tax Foreclosure - A summary proceeding by which the City may enforce a lien for taxes due and owing by tax sale, under N.J.S.A. 54:5-1 to 54:5-129 et seq.

xii. Land Taxes - The amount of taxes assessed on the value of land, on which the project is located and, if applicable, taxes on any pre-existing improvements. Land Taxes are not exempt; however, Land Taxes are applied as a credit against the Annual Service Charge.

xiii. Land Tax Payments - Payments made on the quarterly due dates, including approved grace periods if any, for Land Taxes as determined by the Tax Assessor and the Tax Collector.

xiv. Law - Law shall refer to the Long Term Tax Exemption Law, as amended and supplemented, N.J.S.A. 40A:20-1, et seq.; Executive Order of the Mayor 02-003, relating to long term tax exemption, as it may be supplemented; Ordinance 02-075 requiring Disclosure of Lobbyist Status and Ordinance 16.____, which authorized the execution of this Agreement and all other relevant Federal, State or City statutes, ordinances, resolutions, rules and regulations.

xvi. Minimum Annual Service Charge - The Minimum Annual Service Charge shall be (a) until Substantial Completion the amount of the total taxes levied against all real property in the area covered by the Project in the last full tax year in which the area was subject to taxation, which amount the parties agree is \$15,712; and (b) upon Substantial Completion, the sum of \$92,301 per year, which sum is equal to the estimated Annual Service Charge, as adjusted.

Following Substantial Completion, the Minimum Annual Service Charge set forth in subsection (b) shall be paid in each year in which the Annual Service Charge, calculated pursuant to N.J.S.A. 40A:20-12 or this Agreement, would be less than the Minimum Annual Service Charge.

xvi. Net Profit - The Annual Gross Revenues of the Entity less all annual operating and non-operating expenses of the Entity, all determined in accordance with generally accepted accounting principles, but:

(1) there shall be included in expenses: (a) all Annual Service charges paid pursuant to

N.J.S.A. 40A:20-12; (b) all annual payments to the City of excess profits pursuant to N.J.S.A. 40A:20-15 or N.J.S.A. 40A:20-16; (c) an annual amount sufficient to amortize (utilizing the straight line method-equal annual amounts) the Total Project Cost and all capital costs determined in accordance with generally accepted accounting principles, of any other entity whose revenue is included in the computation of excess profits over the term of this agreement; (d) all reasonable annual operating expenses of the Entity and any other entity whose revenue is included in the computation of excess profits including the cost of all management fees, brokerage commissions, insurance premiums, all taxes or service charges paid, legal, accounting, or other professional service fees, utilities, building maintenance costs, building and office supplies and payments into repair or maintenance reserve accounts; (e) all payments of rent including but not limited to ground rent by the Entity; (f) all debt service; and

(2) there shall not be included in expenses either depreciation or obsolescence, interest on debt, except interest which is part of debt service, income taxes or salaries, bonuses or other compensation paid, directly or indirectly to directors, officers and stockholders of the entity, or officers, partners or other persons holding a proprietary ownership interest in the entity.

xvii. Pronouns - He or it shall mean the masculine, feminine or neuter gender, the singular, as well as the plural, as context requires.

xviii. Substantial Completion - The determination by the City that the Project, in whole or in part, is ready for the use intended, which ordinarily shall mean the first date on which the Project receives, or is eligible to receive, any Certificate of Occupancy whether temporary or permanent for any portion of the Project.

xix. Termination - Any act or omission which by operation of the terms of this Financial Agreement shall cause the Entity to relinquish its tax exemption.

xx. Total Project Cost - The total cost of constructing the Project through the date a Certificate(s) of Occupancy is issued for the entire Project, which categories of cost are set forth in N.J.S.A. 40A:20-3(h). There shall be included with Total Project Cost the actual costs incurred by the Entity and certified by an independent and qualified architect or engineer, which are associated with site remediation and cleanup of environmentally hazardous materials or contaminants in accordance with State or Federal law and any extraordinary costs incurred including the cost of demolishing structures, relocation or removal of public utilities, cost of

relocating displaced residents or buildings and the clearing of title. If the Service Charge is a percentage of Total Project Cost, then the Entity agrees that final Total Project Cost shall not be less than its estimated Total Project Cost.

ARTICLE II - APPROVAL

Section 2.1 Approval of Tax Exemption

The City hereby grants its approval for a tax exemption for all the Improvements to be constructed and maintained in accordance with the terms and conditions of this Agreement and the provisions of the Law which Improvements shall be constructed on certain property known on the Official Tax Assessor's Map of the City as: Block 22102, Lot 25, more commonly known by the street address 2 Fisk Street, Jersey City, and described by metes and bounds in Exhibit 1 attached hereto.

Section 2.2 Approval of Entity

Approval is granted to the Entity whose Certificate of Formation is attached hereto as Exhibit 4. Entity represents that its Certificate contains all the requisite provisions of the Law; has been reviewed and approved by the Commissioner of the Department of Community Affairs; and has been filed with, as appropriate, the Office of the State Treasurer or Office of the Hudson County Clerk, all in accordance with N.J.S.A. 40A:20-5.

Section 2.3 Improvements to be Constructed

The Entity represents that it will construct a five (5) story building with approximately thirty-nine (39) market rate residential rental units, approximately three-thousand and seven-hundred (3,700) square feet of ground-floor retail/commercial space and a garage unit to contain approximately nineteen (19) parking spaces; all of which is specifically described in the Application attached hereto as Exhibit 3.

Section 2.4 Construction Schedule

The Entity agrees to diligently undertake to commence construction and complete the Project in accordance with the Estimated Construction Schedule, attached hereto as Exhibit 5, and in compliance with any Redevelopment Agreement.

Section 2.5 Ownership, Management and Control

The Entity represents that it is the owner of the property upon which the Project is to be constructed. Upon construction, the Entity represents that the Improvements will be used,

managed and controlled for the purposes set forth in this Agreement and any Redevelopment Agreement.

Section 2.6 Financial Plan

The Entity represents that the Improvements shall be financed in accordance with the Financial Plan attached hereto as Exhibit 6. The Plan sets forth a good faith estimate of Total Project Cost, the amortization rate on the Total Project Cost, the source of funds, the interest rates to be paid on construction financing, the source and amount of paid-in capital, and the terms of any mortgage amortization.

Section 2.7 Good Faith Estimate of Initial Sale Prices or Rents

The Entity represents that its good faith projections of the initial sale price or rents and other revenue to the Project are set forth in Exhibit 7.

ARTICLE III - DURATION OF AGREEMENT

Section 3.1 Term

So long as there is compliance with the Law and this Agreement, it is understood and agreed by the parties hereto that this Agreement shall remain in effect for the earlier of twenty-five (25) years from the adoption of Ordinance 16.____ on January 27, 2016, which approved the tax exemption, or twenty (20) years from the original date of Substantial Completion of the Project. The tax exemption shall only be effective during the period of usefulness of the Project and shall continue in force only while the Project is owned by a corporation or association formed and operating under the Law.

ARTICLE IV - ANNUAL SERVICE CHARGE

Section 4.1 Annual Service Charge

In consideration of the tax exemption, the Entity shall make the following annual payments to the City for services provided to the Project:

i. City Service Charge: an amount equal to the greater of: the Minimum Annual Service Charge or an Annual Service Charge equal to 12% of the Annual Gross Revenue. The Annual Service Charge shall be billed initially based upon the Entity's estimates of Annual Gross Revenue, attached hereto as Exhibit 6. Thereafter, the Annual Service Charge shall be adjusted in accordance with this Agreement.

ii. County Service Charge: an amount equal to 5% of the Municipal Annual Service

Charge shall be paid to the City and remitted by the City to the County.

iii. The Minimum Annual Service Charge pursuant to Section 1.2xv(a) shall be due beginning on the effective date of this Agreement. The Minimum Annual Service Charge pursuant to Section 1.2xv(b) shall be due upon Substantial Completion of the Project. The City Service Charge and the County Annual Service Charge shall be due on the first day of the month following the Substantial Completion of the Project. In the event the Entity fails to timely pay the Minimum Annual Service Charge or the Annual Service Charge, the unpaid amount shall bear the highest rate of interest permitted in the case of unpaid taxes or tax liens on land until paid.

Section 4.2 Staged Adjustments

The Annual Service Charge shall be^s adjusted, in Stages over the term of the tax exemption in accordance with N.J.S.A. 40A:20-12(b) as follows:

i. Stage One: From the 1st day of the month following Substantial Completion until the last day of the 6th year, the Annual Service Charge shall be 12% of Annual Gross Revenue;

ii. Stage Two: Beginning on the 1st day of the 7th year following Substantial Completion until the last day of the 9th year, an amount equal to the greater of the Annual Service Charge or 20% of the amount of the taxes otherwise due on the assessed value of the land and Improvements;

iii. Stage Three: Beginning on the 1st day of the 10th year following the Substantial Completion until the last day of the 12th year, an amount equal to the greater of the Annual Service Charge or 40% of the amount of the taxes otherwise due on the assessed value of the land and Improvements;

iv. Stage Four: Beginning on the 1st day of the 13th year following Substantial Completion until the last day of the 16th year, an amount equal to the greater of the Annual Service Charge or 60% of the amount of the taxes otherwise due on the assessed value of the land and Improvements.

v. Final Stage: Beginning on the 1st day of the 17th year following Substantial Completion through the date the tax exemption expires, an amount equal to the greater of the Annual Service Charge or 80% of the amount of the taxes otherwise due on the assessed value of the land and Improvements.

Section 4.3 Land Tax

The Entity is required to pay both the Annual Service Charge and the Land Tax Payments. The Entity is obligated to make timely Land Tax Payments, including any tax on the pre-existing improvements, in order to be entitled to a Land Tax credit against the Annual Service Charge for the subsequent year. The Entity shall be entitled to credit for the amount, without interest, of the Land Tax Payments made in the last four preceding quarterly installments against the Annual Service Charge. In any quarter that the Entity fails to make any Land Tax Payments when due and owing, such delinquency shall render the Entity ineligible for any Land Tax Payment credit against the Annual Service Charge. No credit will be applied against the Annual Service Charge for a partial payment of Land Taxes. In addition, the City shall have, among this remedy and other remedies, the right to proceed against the property pursuant to the In Rem Tax Foreclosure Act, N.J.S.A. 54:5-1, et seq. and/or declare a Default and terminate this Agreement.

Section 4.4 Quarterly Installments / Interest

The Entity expressly agrees that the Annual Service Charge shall be made in quarterly installments on those dates when real estate tax payments are due; subject, nevertheless, to adjustment for over or underpayment within thirty (30) days after the close of each calendar year. In the event that the Entity fails to pay the Annual Service Charge or any other charge due under this agreement, the unpaid amount shall bear the highest rate of interest permitted in the case of unpaid taxes or tax liens on the land until paid in full.

Section 4.5 Administrative Fee

The Entity shall also pay an annual Administrative Fee to the City in addition to the Annual Service Charge and Land Tax levy. The Administrative Fee shall be calculated as half of one (0.5%) percent of each prior year's Annual Service Charge. This fee shall be payable and due on or before December 31st of each year, and collected in the same manner as the Annual Service Charge.

Section 4.6 Affordable Housing Contribution and Remedies

A. **Contribution.** The Entity will pay the City the sum of \$71,550 [\$1,500 per unit at 39 units; (\$1,500 x 39 = \$58,500) \$1.50 per square foot of commercial space (\$1.50 x 3,700

square feet of commercial = \$5,550) and \$1.50 per approximately 5,000 square feet of parking ($\$1.50 \times 5,000 = \$7,500$)] as a contribution.

The sum shall be due and payable as follows:

- i. 1/3 on or before the effective adoption date of the Ordinance approving the tax exemption;
- ii. 1/3 on or before the issuance of the first of any construction permit for the Project, but no later than six months after the date of the Financial Agreement; and
- iii. 1/3 on or before the date the first of any Certificate of Occupancy is issued for the Project, but no later than twenty-four (24) months after the date of the Financial Agreement.

Section 4.7 Material Conditions

It is expressly agreed and understood that the timely payments of Land Taxes, Minimum Annual Service Charges, Annual Service Charges, including Annual Net Profits and any adjustments thereto, Administrative Fees, Affordable Housing Contributions, and any interest thereon, are Material Conditions of this Agreement.

ARTICLE V - PROJECT EMPLOYMENT AND CONTRACTING AGREEMENT

Section 5.1 Project Employment and Contracting Agreement

In order to provide City residents and businesses with certain employment and other economic related opportunities, the Entity is subject to the terms and conditions of the Project Employment and Contracting Agreement, attached hereto as Exhibit 8.

Section 5.2 Project Labor Agreement (Projects with construction costs exceeding \$25 million)

The Entity estimates that the total construction costs for the project are \$4,500,000. If the total construction costs are estimated to exceed \$25 million, then the Entity must execute a Project Labor Agreement as required by Section 304-33 of the Jersey City Municipal Code. The Entity asserts that the construction costs will not exceed \$25 million and therefore a Project Labor Agreement (PLA) is not required. Notwithstanding construction costs under \$25 million, the Entity must comply with Chapter 304-34(C) of the Municipal Code and provide certification of its construction costs. In the event that the construction costs do exceed the \$25 million

threshold, the entity shall be required to pay the damages as set forth in Chapter 304-37(3) of the Municipal Code.

Section 5.3 Living Wage Mandate (Projects with construction costs exceeding \$25 million)

If the total construction costs are estimated to exceed \$25 million, then the Entity must comply with the requirements of Section 3-76 of the Jersey City Municipal Code concerning required wage, benefit and leave standards for building service workers. All janitors and unarmed security guards employed at the Projects, including by any and all tenants or subtenants of the developer, shall not be paid less than the standard hourly rate of pay and benefits for their respective classifications and shall be provided with paid leave in accordance with the provisions of the Jersey City Municipal Code Section 3-51G(1).

ARTICLE VI - CERTIFICATE OF OCCUPANCY

Section 6.1 Certificate of Occupancy

It is understood and agreed that it shall be the obligation of the Entity to obtain all Certificates of Occupancy in a timely manner so as to complete construction in accordance with the proposed construction schedule attached hereto as Exhibit 5. The failure to secure the Certificates of Occupancy shall subject the Property to full taxation for the period between the date of Substantial Completion and the date the Certificate of Occupancy is obtained.

Section 6.2 Filing of Certificate of Occupancy

It shall be the primary responsibility of the Entity to forthwith file with both the Tax Assessor and the Tax Collector a copy of each Certificate of Occupancy.

Failure of the Entity to file such issued Certificate of Occupancy as required by the preceding paragraph, shall not militate against any action or non-action, taken by the City, including, if appropriate retroactive billing with interest for any charges determined to be due, in the absence of such filing by the Entity.

Section 6.3 Construction Permits

The estimated construction cost basis disclosed by the Entity's application and proposed Financial Agreement may, at the option of the City, be used as the basis for the construction cost in the issuance of any construction permit for the Project.

ARTICLE VII - ANNUAL REPORTS

Section 7.1 Accounting System

The Entity agrees to maintain a system of accounting and internal controls established and administered in accordance with generally accepted accounting principles.

Section 7.2 Periodic Reports

A. Auditor's Report: Within ninety (90) days after the close of each fiscal or calendar year, depending on the Entity's accounting basis that the Agreement shall continue in effect, the Entity shall submit to the Mayor and Municipal Council and the New Jersey Division of Local Government Services in the Department of Community Affairs, its Auditor's Report for the preceding fiscal or calendar year. The Auditor's Report shall include, but not be limited to gross revenue, and the terms and interest rate on any mortgage(s) associated with the purchase or construction of the Project and such details as may relate to the financial affairs of the Entity and to its operation and performance hereunder, pursuant to the Law and this Agreement. The Report shall clearly identify and calculate the Net Profit for the Entity during the previous year, the excess of which shall be paid to the City each year an excess profit is generated.

B. Total Project Cost Audit: Within ninety (90) days after Substantial Completion of the Project, the Entity shall submit to the Mayor, Municipal Council, the Tax Collector and the City Clerk, who shall advise those municipal officials required to be advised, an audit of Total Project Cost, including but not limited to an audit of actual construction costs as certified by the Project architect.

C. Disclosure Statement: On the anniversary date of the execution of this Agreement, and each and every year thereafter while this agreement is in effect, the Entity shall submit to the Municipal Council, the Tax Collector and the City Clerk, who shall advise those municipal officials required to be advised, a Disclosure Statement listing the persons having an ownership interest in the Project, and the extent of the ownership interest of each and such additional information as the City may request from time to time. All disclosures shall include ownership interests of the individual persons owning any corporate interest in the Entity.

Section 7.3 Inspection/Audit

The Entity shall permit the inspection of its property, equipment, buildings and other

facilities of the Project and, if deemed appropriate or necessary, any other related Entity by representatives duly authorized by the City or the New Jersey Division of Local Government Services in the Department of Community Affairs. It shall also permit, upon request, examination and audit of its books, contracts, records, documents and papers. Such examination or audit shall be made during the reasonable hours of the business day, in the presence of an officer or agent designated by the Entity for any year during which the tax exemption financial agreement was in full force and effect.

All costs incurred by the City to conduct a review of the Entity's audits, including reasonable attorneys' fees if appropriate, shall be billed to the Entity and paid to the City as part of the Entity's Annual Service Charge. Delinquent payments shall accrue interest at the same rate as for a delinquent service charge.

ARTICLE VIII- LIMITATION OF PROFITS AND RESERVES

Section 8.1 Limitation of Profits and Reserves

During the period of tax exemption as provided herein, the Entity shall be subject to a limitation of its profits pursuant to the provisions of N.J.S.A. 40A:20-15.

The Entity shall have the right to establish a reserve against vacancies, unpaid rentals, and reasonable contingencies in an amount equal to five (5%) percent of the Gross Revenue of the Entity for the last full fiscal year preceding the year and may retain such part of the Excess Net Profits as is necessary to eliminate a deficiency in that reserve, as provided in N.J.S.A. 40A:20-15. The reserve is to be non-cumulative, it being intended that no further credits thereto shall be permitted after the reserve shall have attained the allowable level of five (5%) percent of the preceding year's Gross Revenue.

Section 8.2 Annual Payment of Excess Net Profit

In the event the Net Profits of the Entity, in any year, exceeds the Allowable Net Profits for such year, then the Entity, within one hundred and twenty (120) days after the end of the year, shall pay such excess Net Profits to the City as an additional annual service charge; provided, however, that the Entity may maintain a reserve as determined pursuant to aforementioned paragraph 8.1. The calculation of the Entity's Excess Net Profits shall include those project costs directly attributable to site remediation and cleanup expenses and any other

costs excluded in the definition of Total Project Cost in Section 1.2 (xx) of this Agreement even though those costs may have been deducted from the project costs for purposes of calculating the annual service charge.

Section 8.3 Payment of Reserve/ Excess Net Profit Upon Termination, Expiration or Sale

The date of termination, expiration or sale shall be considered to be the close of the fiscal year of the Entity. Within ninety (90) days after such date, the Entity shall pay to the City the amount of the reserve, if any, maintained by it pursuant to this section and the balance of the Excess Net Profit, if any.

ARTICLE IX - ASSIGNMENT AND/OR ASSUMPTION

Section 9.1 Approval of Sale

Any sale or transfer of the Project, shall be void unless approved in advance by Ordinance of the Municipal Council. It is understood and agreed that the City, on written application by the Entity, will not unreasonably withhold its consent to a sale of the Project and the transfer of this Agreement provided 1) the new Entity does not own any other Project subject to long term tax exemption at the time of transfer; 2) the new Entity is formed and eligible to operate under the Law; 3) the Entity is not then in default of this Agreement or the Law; 4) the Entity's obligations under this Agreement are fully assumed by the new Entity; 5) the Entity pays in full the maximum transfer fee, 2% of the Annual Service Charge, as permitted by N.J.S.A. 40A:20-10(d); and 6) as to projects that are not Substantially Complete, the Entity is comprised of principals possessing substantially the same or better financial qualifications and credit worthiness as the Entity.

Nothing herein shall prohibit any transfer of the ownership interest in the Entity itself provided that the transfer, if greater than 10%, is disclosed to the City in the annual disclosure statement or in correspondence sent to the City in advance of the filing of the annual disclosure statement.

Section 9.2 Transfer Application Fee

Where the consent or approval of the City is sought for approval of a change in ownership or sale or transfer of the Project, the Entity shall be required to pay to the City a new tax exemption application fee for the legal and administrative services of the City, as it relates to

the review, preparation and/or submission of documents to the Municipal Council for appropriate action on the requested assignment. The fee shall be non-refundable.

ARTICLE X - COMPLIANCE

Section 10.1 Operation

During the term of this Agreement, the Project shall be maintained and operated in accordance with the provisions of the Law. Operation of Project under this Agreement shall not only be terminable as provided by N.J.S.A. 40A:20-1, et seq., as amended and supplemented, but also by a Default under this Agreement. The Entity's failure to comply with the Law shall constitute a Default under this Agreement and the City shall, among its other remedies, have the right to terminate the tax exemption.

Section 10.2 Disclosure of Lobbyist Representative

During the term of this Agreement, the Entity must comply with Executive Order 2002-005, and Ordinance 02-075, requiring Written Disclosure of Lobbyist Representative Status. The Entity's failure to comply with the Executive Order or the Ordinance shall constitute a Default under this Agreement and the City shall, among its other remedies, have the right to terminate the tax exemption.

ARTICLE XI - DEFAULT

Section 11.1 Default

Default shall be failure of the Entity to conform with the terms of this Agreement or failure of the Entity to perform any obligation imposed by the Law, beyond any applicable notice, cure or grace period.

Section 11.2 Cure Upon Default

Should the Entity be in Default, the City shall send written notice to the Entity of the Default [Default Notice]. The Default Notice shall set forth with particularity the basis of the alleged Default. The Entity shall have sixty (60) days, from receipt of the Default Notice, to cure any Default which shall be the sole and exclusive remedy available to the Entity. However, if, in the reasonable opinion of the City, the Default cannot be cured within sixty (60) days using reasonable diligence, the City will extend the time to cure.

Subsequent to such sixty (60) days, or any approved extension, the City shall have the

right to terminate this Agreement in accordance with Section 12.1.

Should the Entity be in default due to a failure to pay any charges defined as Material Conditions in Section 4.7, or a sale of the Project occurs without the consent of the City, the Entity shall not be subject to the default procedural remedies as provided herein but shall allow the City to proceed immediately to terminate the Agreement as provided in Article XII herein.

Section 11.3 Remedies Upon Default

The City shall, among its other remedies, have the right to proceed against the property pursuant to the In Rem Tax Foreclosure Act, N.J.S.A. 54:5-1, et seq. In order to secure the full and timely payment of the Annual Service Charge, the City on its own behalf, or on behalf of the Trustee, reserves the right to prosecute an In Rem Tax Foreclosure action against the Project Area in accordance with Applicable Law, as more fully set forth in this Financial Agreement.

In addition, the City may declare a Default and terminate this Agreement. Any default arising out of the Entity's failure to pay Land Taxes, the Minimum Annual Service Charge, Administrative Fees, Affordable Housing Contribution, or the Annual Service Charges shall not be subject to the default procedural remedies as provided herein, but shall allow the City to proceed immediately to terminate the Agreement as provided herein. All of the remedies provided in this Agreement to the City, and all rights and remedies granted to it by law and equity shall be cumulative and concurrent. No termination of any provision of this Agreement shall deprive the City of any of its remedies or actions against the Entity because of its failure to pay Land Taxes, the Minimum Annual Service Charge, Annual Service Charge, Affordable Housing Contribution or Administrative Fees. This right shall apply to arrearages that are due and owing at the time or which, under the terms hereof, would in the future become due as if there had been no termination. Further, the bringing of any action for Land Taxes, the Minimum Annual Service Charge, the Annual Service Charge, Affordable Housing Contribution, Administrative Fees, or for breach of covenant or the resort to any other remedy herein provided for the recovery of Land Taxes shall not be construed as a waiver of the rights to terminate the tax exemption or proceed with a tax sale or Tax Foreclosure action or any other specified remedy.

In the event of a Default on the part of the Entity to pay any charges set forth in Article

IV, the City among its other remedies, reserves the right to proceed against the Entity's land and property, in the manner provided by the In Rem Foreclosure Act, and any act supplementary or amendatory thereof. Whenever the word taxes appear, or is applied, directly or impliedly to mean taxes or municipal liens on land, such statutory provisions shall be read, as far as is pertinent to this Agreement, as if the charges were taxes or municipal liens on land.

ARTICLE XII- TERMINATION

Section 12.1 Termination Upon Default of the Entity

In the event the Entity fails to cure or remedy the Default within the time period provided in Section 11.2, the City may terminate this Agreement upon thirty (30) days written notice to the Entity [Notice of Termination].

Section 12.2 Voluntary Termination by the Entity

The Entity may notify the City that it will relinquish its status as a tax exempt Project, after the expiration of one year from the Substantial Completion of the Project , as of the January 1st of the year next ensuing. The Notice of Voluntary Termination must be received by the City no later than October 1st of the tax year preceding the calendar year in which the termination is to occur. As of the date so set, the tax exemption, the Annual Service Charges and the profit and dividend restrictions shall terminate. However, under no circumstances will the Entity be entitled to any refund, in whole or in part, of any funds paid to the City to obtain the tax exemption, including but not limited to the Affordable Housing Contribution. In addition, the due date for all Affordable Housing Contribution and any other fees that the Entity agreed to pay under this Agreement, shall be accelerated so that all fees to be paid shall be due on January 1st as a condition precedent of the voluntary termination.

Section 12.3 Final Accounting

Within ninety (90) days after the date of termination, whether by affirmative action of the Entity or by virtue of the provisions of the Law or pursuant to the terms of this Agreement, the Entity shall provide a final accounting and pay to the City the reserve, if any, pursuant to the provisions of N.J.S.A. 40A:20-13 and 15 as well as any remaining excess Net Profits. For purposes of rendering a final accounting the termination of the Agreement shall be deemed to be the end of the fiscal year for the Entity.

Section 12.4 Conventional Taxes

Upon Termination or expiration of this Agreement, the tax exemption for the Project shall expire and the land and the Improvements thereon shall thereafter be assessed and conventionally taxed according to the general law applicable to other nonexempt taxable property in the City.

ARTICLE XIII - DISPUTE RESOLUTION

Section 13.1 Arbitration

In the event of a breach of the within Agreement by either of the parties hereto or a dispute arising between the parties in reference to the terms and provisions as set forth herein, either party may apply to the Superior Court of New Jersey by an appropriate proceeding, to settle and resolve the dispute in such fashion as will tend to accomplish the purposes of the Law. In the event the Superior Court shall not entertain jurisdiction, then the parties shall submit the dispute to the American Arbitration Association in New Jersey to be determined in accordance with its rules and regulations in such a fashion to accomplish the purpose of the Long Term Tax Exemption Law. The cost for the arbitration shall be borne by the Entity. The parties agree that the Entity may not file an action in Superior Court or with the Arbitration Association unless the Entity has first paid in full all charges defined in Section 4.7 as Material Conditions.

Section 13.2 Appeal of Assessment

In calculating the amount of the Staged Adjustments that is, taxes otherwise due, pursuant to Section 4.2 and N.J.S.A. 40A:20-12, either party may file an appeal of the conventional assessment to determine the value of land and improvements.

ARTICLE XIV - WAIVER

Section 14.1 Waiver

Nothing contained in this Financial Agreement or otherwise shall constitute a waiver or relinquishment by the City of any rights and remedies, including, without limitation, the right to terminate the Agreement and tax exemption for violation of any of the conditions provided herein. Nothing herein shall be deemed to limit the City's right to audit or recover any amount which the City has under law, in equity, or under any provision of this Agreement.

ARTICLE XV - INDEMNIFICATION

Section 15.1 Defined

It is understood and agreed that in the event the City shall be named as party defendant in any action by a third party alleging any breach, default or a violation of any of the provisions of this Agreement and/or the provisions of N.J.S.A. 40A:20-1 et seq., the Entity shall indemnify and hold the City harmless against any and all liability, loss, cost, expense (including reasonable attorneys' fees and costs), arising out of this Agreement. In addition, the Entity expressly waives all statutory or common law defenses or legal principles which would defeat the purposes of this indemnification. The Entity also agrees to defend the suit at its own expense. However, the City maintains the right to intervene as a party thereto, to which intervention the Entity consents; the expense thereof to be borne by the City.

ARTICLE XVI- NOTICE

Section 16.1 Certified Mail

Any notice required hereunder to be sent by either party to the other shall be sent by certified or registered mail, return receipt requested.

Section 16.2 Sent by City

When sent by the City to the Entity the notice shall be addressed to:

305 West Side Avenue Urban Renewal, LLC
422 61st Street
West New York, New Jersey 07093

With a copy to:

Charles J. Harrington, III, Esq.
Connell Foley, LLP
Harborside Financial Center
2510 Plaza Five
Jersey City, New Jersey 07311

unless prior to giving of notice the Entity shall have notified the City in writing otherwise.

In addition, provided the City is sent a formal written notice in accordance with this Agreement, of the name and address of Entity's Mortgagee, the City agrees to provide such Mortgagee with a copy of any notice required to be sent to the Entity.

Section 16.3 Sent by Entity

When sent by the Entity to the City, it shall be addressed to:

City of Jersey City, Office of the City Clerk
City Hall
280 Grove Street
Jersey City, New Jersey 07302,

with copies sent to the Corporation Counsel, the Business Administrator, and the Tax Collector unless prior to the giving of notice, the City shall have notified the Entity otherwise. The notice to the City shall identify the Project to which it relates, (i.e., the Urban Renewal Entity and the Property's Block and Lot number).

ARTICLE XVII-SEVERABILITY

Section 17.1 Severability

If any term, covenant or condition of this Agreement or the Application, except a Material Condition, shall be judicially declared to be invalid or unenforceable, the remainder of this Agreement or the application of such term, covenant or condition to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term, covenant or condition of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

If a Material Condition shall be judicially declared to be invalid or unenforceable and provided the Entity is not in Default of this Agreement, the parties shall cooperate with each other to take the actions reasonably required to restore the Agreement in a manner contemplated by the parties and the Law. This shall include, but not be limited to the authorization and re-execution of this Agreement in a form reasonably drafted to effectuate the original intent of the parties and the Law. However, the City shall not be required to restore the Agreement if it would modify a Material Condition, the amount of the periodic adjustments or any other term of this Agreement which would result in any economic reduction or loss to the City.

ARTICLE XVIII - MISCELLANEOUS

Section 18.1 Construction

This Agreement shall be construed and enforced in accordance with the laws of the State of New Jersey, and without regard to or aid of any presumption or other rule requiring

construction against the party drawing or causing this Agreement to be drawn since counsel for both the Entity and the City have combined in their review and approval of same.

Section 18.2 Conflicts

The parties agree that in the event of a conflict between the Application and the language contained in the Agreement, the Agreement shall govern and prevail. In the event of conflict between the Agreement and the Law, the Law shall govern and prevail.

Section 18.3 Oral Representations

There have been no oral representations made by either of the parties hereto which are not contained in this Agreement. This Agreement, the Ordinance authorizing the Agreement, and the Application constitute the entire Agreement between the parties and there shall be no modifications thereto other than by a written instrument approved and executed by both parties and delivered to each party.

Section 18.4 Entire Document

This Agreement and all conditions in the Ordinance of the Municipal Council approving this Agreement are incorporated in this Agreement and made a part hereof.

Section 18.5 Good Faith

In their dealings with each other, utmost good faith is required from the Entity and the City.

ARTICLE XIX - EXHIBITS

Section 19 Exhibits

The following Exhibits are attached hereto and incorporated herein as if set forth at length herein:

1. Metes and Bounds description of the Project;
2. Ordinance of the City authorizing the execution of this Agreement;
3. The Application with Exhibits;
4. Certificate of the Entity;
5. Estimated Construction Schedule;
6. The Financial Plan for the undertaking of the Project;
7. Good Faith Estimate of Initial Rents;
8. Project Employment and Contracting Agreement;
9. Architect's Certification of Actual Construction Costs.
10. Entity's Deed [or Lease]

IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

WITNESS: **305 WEST SIDE URBAN RENEWAL, LLC**

MEMBER

ATTEST: **CITY OF JERSEY CITY**

ROBERT BYRNE
CITY CLERK

ROBERT J. KAKOLESKI
BUSINESS ADMINISTRATOR